WEST

THE RANGE OF NO RETURN

A COMPLETE BOOK-LENGTH NOVEL OF AN OUTLAW STRONGHOLD

By ARCHIE JOSCELYN

GUNFIGHTERS OF THE WILD WEST

A True Image of Mediaeval Frontier Badinage

By JACKSON COLE

EARLY OCTOBER, 1938 EVERY OTHER FRIDAY

WEST

Every Other Friday One Shilling

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FRANK KING

The Fighting Cowboy-Reporter

By CHUCK MARTIN

OLD-TIME Los Angeles was wearing her Fiesta finery to celebrate the wedding of Miss Caroline Newmark to Solomon Lazard. Prancing horses lined the tie-rails in front of Monty Kremer's big house, proud of the silver-mounted saddles and bridles with California chains they carried to add color to the occasion. Downtown Main Street was filled with festive-seeking citizens on that afternoon of July 5th, 1865.

Colonel J. G. Howard was a brilliant criminal lawyer with a large residence just across the street from Kremer's place. A. J. King was under-sheriff of Los Angeles county. Robert Carlisle was a large, powerful man who had married the daughter of Colonel Isaac Williams, and Williams owned 46,000 acres of cattle land; the old Chino ranch.

Everybody who was anybody in Los Angeles turned out for the wedding to honor the beautiful Miss Caroline. Every man was fully dressed with one or more sixguns on his person. Old Judge Colt was the final Arbiter in all personal disputes, and the "Judge" always spoke in a roaring voice from which there was no appeal.

This was the setting in the City of the Angels on that warm July day in 1865. History was in the making when big Bob Carlisle singled out A. J. King to air his views about a murder trial. The under-sheriff told the cattleman that the verdict was none of his business, and backed up his remarks by reaching for his gun.

Friends of both men surged forward to prevent the wedding of Miss Caroline from being spoiled. The two belligerents were hustled away in opposite directions while the father of the bride within the big house performed the ceremony which made the happy couple man and wife.

At noon the following day, Frank and Houston King were passing the bar-room of the old Bella Union Hotel. Both were brothers of the under-sheriff who at the time was arresting a criminal, miles away from town. Bob Carlisle entered the bar-room with his hand on his sixgun, and the Kings answered the silent, but unmistakable challenge.

Frank King fell dead just before his revolver cleared leather. Bob Carlisle made a smooth pass and wounded Houston King in the chest. The big man smiled with short-lived triumph; caught the bucking gun in his hand and lined-down for another chopping shot.

Houston King was part Cherokee Indian, with the stoical calmness of his race. His old Colt cap-and-ball .44 came out of the holster even while he was falling. With finger pressing the trigger while his calloused thumb dogged the heavy hammer back, he emptied his gun to riddle Bob Carlisle with bullets.

The big man went to the ground under the terrific barrage of hot lead. Houston King came to his feet and clubbed his gun when Carlisle summoned all his strength and raised up to get in another shot. The heavy Colt thudded down on his head and broke in King's hand, and Carlisle triggered a slug through the body of his enemy before he slumped to the ground. Four bullets within a four-inch circle were found in Carlisle's belly.

Robert Carlisle was taken to a pool-room where he died at 3 o'clock, and was buried from the Bella Union Hotel the following afternoon at four. Frank King was buried from the home of his brother A. J. King, while Houston King, named for General Sam Houston, silently fought his battle against death. He won that battle and recovered from his wounds, and the real reason for his recovery could be found in the blood-ties of the Cherokees.

In the King family, the enemy of one, was the enemy of the entire family. No one but Houston had seen the skulking figure back in the pool-room who had fired the first shot in the most determined gun-battle Los Angeles had ever witnessed. This man was a relative of Bob Carlisle, and when his gun roared from the pool-room, Frank King had died before the battle had fairily started.

Houston King had seen the whole thing, and he laid his plans for revenge even while his brother was being carried to his last, long sleep. It might take months or even years, but a King had been killed, and a King would be avenged. Such was the tribal laws of the Cherokees.

Houston King recovered from his wounds and was tried for the murder of Robert Carlisle. Colonel Howard defended him, and he was acquitted on the grounds of self-defense, after which the Common Council passed a law prohibiting all except peace officers from carrying deadly weapons; a law to which little attention was paid by the men who carried their own law in their holsters.

FRANK M. KING was the son of Houston King. He was born in Los Angeles in 1863, and named for his Uncle Frank who was killed in the Carlisle-King feud. When he was just learning to walk, he heard the details of this historic battle; heard the vows of his father to avenge the death of his Uncle. His mother was also part Cherokee, and the brown-eyed boy played with his Uncle's old pistol before his tiny hands were big enough to raise the heavy weapon.

Gunmen usually have blue or gray eyes, but even today there is a piercing quality in the brown eyes of Frank M. King to tell of his proud heritage of Indian blood.

When Frank was ten, his family loaded their belongings in a covered wagon for a trip to Texas and the Cherokee nation in Indian Territory. Six men were in the outfit; six men including Houston King and his ten-year-old son, Frank. It took three months to make the long trip, and one day down in Texas, Houston King rode away from the outfit on business of his own. No one asked questions, and Houston King made no

explanations when he returned, but he never again mentioned his vow of revenge against the man who had killed his brother from the shelter of the pool-room in Los Angeles.

Some time later in 1874, Jesse Chisholm led the Cherokee Indians in a movement that secured certain tribal lands for them from the Federal government. Houston King and his wife received their allotment, and it was only natural that they should start a cattle spread, as Houston King had been one of California's early cattlemen. His registered brand was the Half Circle-Triangle on the left hip, and the family raised beef until 1881 when young Frank was 18, and a top-hand with cattle and horses. He was a strapping youth.

When Frank was twelve years old, Bill Chisholm came to see his father. The old cattleman watched the boy handle horses; cocked his head to one side and spoke to old Houston.

"Likely boy you got there, Houston," he remarked carelessly. "I could use a button like him to ride races for me. Make a man out of him!"

"He's a man now, so take him along," Houston King answered without hesitation. "But you want to remember that he's a King!"

Thus it was that Frank King went to the Bill Chisholm ranch on the Canadian river near Tellequah, the capital of the Cherokee Nation. He rode races for two years until he began putting on weight, and Bill Chisholm shook his head sadly and spoke his mind in the presence of the Curtis brothers who operated a big horse-spread near Henrietta, Texas, in Clay county.

"Guess I'll have to send Frank back home," he muttered. "He's man-size now, and too heavy to ride th' races. He can do anything with a hoss, an' do it better than most growed-up men!"

"We need a bronc-stomper bad right now," Joe Curtis said thoughtfully. "You reckon he could un-cork th' mean ones, Bill?"

"Say! He's been stompin' th' wussest we got hereabouts," Bill Chishold answered. "He don't ride 'em fancy, but when Frank hits a saddle, he ain't got but one idea in his mind. That's to ride th' knothead if he has to hook his cinches an' scratch half th' leather offen his hull. Fellers; that King boy is a bronc-stompin' jigger from away back!"

So Frank King went to Texas to ride the rough string for the Diamond Tail. In those days there was no such thing as a ten-second ride. A top-hand Buckaroo rode the wild ones three times, and turned them over to the working cowboys as broke for saddle. When they topped a bucker, they stayed on top until the horse was bucked into the ground. If they got bucked off, they rolled clear while the hazer roped the bucker and held him down to snubbing post, after which the Buckaroo climbed the hurricane deck and started all over.

Three rides usually taught the horse who was boss, and Frank King always rode his horse. "Sometimes when them ole fuzzies came apart, I had to ride both pieces," Frank told me. "That was what I was gettin' paid to do, an' I held that job down till th' folks moved up to New Mex in the Fall of 1879. Them Injun mustangs were sho' bad medicine, but a Buckaroo had to be worse. Special over in th' Dobe wall country near Amarillo. Them ponies could do more ornery things in a minute than you could think up in a week. But we rode 'em, an' they stayed rode!"

HOUSTON KING bought a ranch and store at Golden, in Sante Fe county, New Mexico. The old man ran the store while Frank rodded the Half Circle Triangle for two years, after which he again had a desire to see what was on the other side of the hill.

"There I was comin' 18, and I couldn't read nor write," Frank confided. "I saddled a good hoss an' lit out for th' hills, which was th' luckiest thing I ever done in my life. I discovered a gold mine, an' I didn't know gold dirt when I saw it. So I fogged it back to th' old man and told him all about it."

"That thar's gold dirt, son," Houston King said slowly. "Whereat did you find it?"

"Out yonder about three miles from town," Frank answered. "I sho' would like to get me some book learnin', Pa!"

Houston King filed on the land and called it the "Lincoln-Lucky mine." The news spread like wild-fire, and Senator Steve Elkins tried to claim the mine on an old Spanish grant. Elkins had a lawyer partner by the name of Tom Catron, and the two lost no time in running in a bunch of men.

Young Frank rode over and saw twenty miners working out the high-grade ore. Throwing the hooks to his horse, he hurried back to his father's store and made his report.

"Twenty men, eh?" old Houston answered thoughtfully. "They ain't got enough money nor men to bluff out th' Kings!"

That night three heavily armed men rode up to the mine and took possession after the miners were asleep. Old Houston and his son Sam, with young Frank leading the way. And when daylight broke the following morning, the three cattlemen drove the twenty miners away without firing a shot.

Senator Elkins and Lawyer Tom Catron were smart enough to compromise. They rode out and talked to old Houston King, about the price of cattle, and the future of the coming generation. After which every one shook hands all the way around, and Houston King rode back to town to deposit a check for $175,000.00 in the bank. The mine which is situated forty miles from Albuquerque, made millions for its owners, and started our hero back to California to attend school.

"I was 18 when I returned to El Monte, California," said Frank. "I took two nine-month terms and started in the Primer class. I worked like hell-an'-gone an' hired me another teacher so's I could study at night. Figgered I better put in two shifts to make up for lost time, an' I completed th' Eighth grade while I was 20."

His brown eyes twinkled brightly when he leaned back in his chair where he has his office in the Union Stock yards at Los Angeles. Frank calls it his "Corral," and there he conjures up the memories of the past; a past so filled with gun-smoke and action that his life makes fiction heroes pallid by comparison.

"I went back to New Mex like a King," Frank continued. "Right there in Golden they had a school that couldn't keep a teacher. Th' bigger boys had done run off two men teachers an' one woman, an' th' trustees asked me to teach that school and finish out th' term. I told 'em I couldn't teach, but they answered that anyone who could count up to a hundred was eligible, so I took th' job.

"Them big boys sized me up an' picked out th' biggest boy to run me out. A King ain't never put out of nowhere yet, and my Dad taught me that when you have to fight, fight with ever'thing you got. So I slapped this ranny over th' skull with my sixgun and knocked him cold. After that I didn't have any more trouble, and I finished out th' term according to my promises!"

THAT'S cow-country, fellers. Not fancy fiction, but true facts about the men who made the West when it was wild. In the days of Billy the Kid; Buckskin Frank Leslie, and

Johnny Behan. But Frank was getting ready to talk some more.

"I met this same boy down in Canamea Mexico, in 1905," he continued. "He was foreman of a big mine, and he thanked me and told me that our little ruckus had made a man of him!"

"I never stayed too long in one place," Frank admitted frankly. "After school was out, I went over to Sante Fe to do a job for Tom Catron and Ed Walz who owned the big Carrizozo ranch in Lincoln county. I was to deliver four blooded Kentucky mares and a stallion to the ranch, and I tied them tail-to-tail and started south.

"The second day I met a one-armed man on a big black horse, and the animal was just about all in. Both me and this feller was armed with six-gun and Winchester, and after looking over my string, he told me that he was needing a fresh horse and would trade his for one of the mares. But we didn't trade. He looked me square in the eyes, and both of us had our hands on our guns. Then he rode away.

"Right after that a sheriff's posse come foggin' up and asked if I had seen a one-armed man in a bay horse."

"I met a one-armed jigger on a black horse," I told the sheriff.

"Hell; that was Sam Dedrick, th' bandit. He's changed hosses on us again," the sheriff growled.

"In 1907 I was down in Mexico with W. C. Green who ran a string of stage stations down there. He introduced me to a rancher who was also running the station on his ranch.

"I'm Sam Dedrick," the rancher said. "Do you remember me?"

"I shore do," I told him, "but I was going to keep quiet!"

"I'm respectable now," Dedrick answered with a smile. "But I'd know you anywhere in th' world from them eyes of your'n."

After delivering the thoroughbreds to the Carrizozo ranch, Frank King went to work for Jimmy Dolan on the Flying H. J. H. Tunstall had formerly owned the ranch, but Tunstall had been killed mysteriously. Strange things happened when cattle needed more grass, and Jimmy Dolan was the head fighting man on the Dolan-Murphy-Riley side of the Lincoln county war with John Chisholm.

"The Chisholms were old family friends, and my mother asked me not to fight against them. Jesse Chisholm was the son of my grand-mother's sister. I did work on the spread for two years before I became restless and started for Arizona.

"My brother and I went to Yuma and helped build a canal with mule teams. The first winter-flood washed the canal out, and we took our mules and went to Florence. From there we went to Phoenix and bought the old Dublin feed yard where we traded our mules for unbroken horses. I broke most of these for saddle and driving. Then we bought a racing mare at a bargain, but she wasn't fast enough, and we lost our outfit when we bet on her to win.

"They were running races over at Yuma, and I found more trouble over there than I ever ran into in such a short time. I agreed to run a matched-race with two prominent Mexicans in 1889, and the old-timers still talk about this race.

"They had a horse that could shore get up an' git, an' we bet $5,000—a side, and scraped out two courses up on the Mesa. We wet down the tracks, and I got the Mexicans to agree not to cut in to whip up their horse. The race was at a mile and a half, and it was the custom of these fellers to have riders on fresh horses stationed every quarter of a mile.

"When their horse come along, these riders would spur out and whip up the racer, but my mare always shied at a whip. So they agreed to let the horses run while they stayed outside to watch. I posted guards just

to make sure, and the race got away to a flying start. At the half-mile post, one of the these Mexicans rode out and whipped up his racer. My mare bolted an' run a hundred yards off th' track, an' I took after that feller with my sixgun.

"I run right between a sheriff and his deputy, and they disarmed me before I could catch him, but my mare came back to the track and won by a neck. While the Judges were arguing, I caught up with th' Mexican and pulled him from his horse. He tried to get to a knife, so I knocked him down and then stomped him with my high-heel boots. My Dad taught me that when you have to fight, get on in there an' fight to win.

"NEXT thing I knew (Frank went on), I was arrested by my own cousin and taken to the sheriff's office where I was charged with assault to commit murder. I gave bond for my appearance, and was talking to my cousin, the under-sheriff. A rancher came up and called me a lying So-and-So, and I knocked him down and lit into him with my boots. This time I was arrested for assault, and again gave bond.

"As I was leaving the courthouse, this rancher's brother stepped out and swung at me with his fist. That fight didn't last long either, and when I had finished him off with my cowboy boots, I was arrested and gave bond again. Before I left the sheriff's office, I asked my cousin to hand over my gun so I could protect myself. He gave me the gun and whispered in my ear.

"You better go and wire Phoenix," he said. "Them fellers back there is betting on this race, an' yo're shore to get jobbed. Tell 'em to call all bets off!

"At the telegraph office I wrote the wire and signed my name. The operator read it slowly and then sneered in my face. I found out later that he was a brother-in-law to one of the Mexicans who had backed the race.

"So yo're th' feller what's been raisin' all that hell uptown," he taunted. "You dirty So-and-So!"

"I didn't want to shoot him, so I just knocked him in th' head with my gun an' let him lay," Frank continued quietly. "An' then I was arrested again and charged with assault to commit murder!"

He looked out across the stockyards and smiled gently. This tall, straight-backed old-timer who had helped tame the west when it was wild.

"None of them cases ever come up for trial," he chuckled. "It cost me $2,500 to have all them charges dismissed, and the race was declared a draw, with all bets called off. Johnny Behan was assistant Warden at the Yuma penitentiary at the time, and right here I want to say a good word for a white man who is dead an' can't talk up for hisself. He was a square-shooter, and a humane man.

"The things they say about him when he was sheriff of Tombstone are a pack of lies, because I was there, and I knew him as well as any man living. Johnny Behan gave me and another fellow named Reynolds both jobs as prison guards, and paid us a hundred dollars a month. On guard we carried Winchesters, and off-shift we carried Colt .45's.

"The dungeon was cut out of the solid rock, and all the air came through a hole in the ceiling that was drilled through nine feet of rock. We called it "The Snake's Den," and Johnny Behan would not allow a prisoner to be put there in th' Den while he was there!

"Two days after Reynolds and I went to work, they had a big prison break. We were at the Hotel Privet where we slept, but we heard the bell ringing down on the Mesa."

"Tigers loose!" Reynolds shouted, and we started for the prison at a

dead run. Any convict in stripes is called a "Tiger," and there were 400 prisoners in Yuma penitentiary at the time.

"The best shot was always stationed on the look-out platform that covered the front gate. Fred Fredly was yard master and Tommy Gates was Warden. When Tommy stepped through the gate to make his rounds, five prisoners attacked him and took his gun. Frank Hartley was on the look-out and he shot two of the prisoners dead when they ran for the gates. Hartley was one of the men who helped capture the bandit Valesquez.

"The third man grabbed Tommy Gates and whirled him around to prevent Hartley from shooting. Hartley could hit the eye of a snake and call which eye, and he shot the convict, but not in time to prevent him from stabbing the Warden with a prison-made knife.

"This was the scene when Reynolds and I ran up the bluff and saw another prisoner using the yard master for a shield. We both fired with our sixguns, and when the dead convict was examined he had two bullet holes under each arm; the only part of his body showing.

"BARNEY RIGGS was a 'Lifer' from Wilcox who had killed a man. The territory of Arizona did not enforce Capital punishment, but Barney Riggs was liked by all the guards, and was given permission to carry provisions from the commissary to the kitchen. He was in the commissary when the fifth convict came barging through the door. The commissary clerk had stepped to a backroom, leaving his .45 Colt in a pigeon hole of his desk.

"The convict raised his gun to shoot Frank Hartley, and Barney Riggs grabbed up the gun from the desk and dropped the hammer. The convict was killed instantly, or the prison break might have been a success, because this happened before Hartley had shot his second and third man.

"Holes were scraped in the hard rocky ground of the prison cemetery on a little bluff above the Gila River. Johnny Behan wired Governor Zulick, and every guard in the prison signed the petition. The Governor wired back to turn Barney Riggs loose that same night, saying that a pardon was already in the mails. Barney was in prison for killing a man; and he got out for the same reason! That was the kind of a man Johnny Behan was. He would always give a man a chance if he deserved it.

"Another time, a guard was watching some prisoners who were working in the cemetery. He went to sleep in the warm desert sunshine with his 45-70 Winchester across his knees. A big Irishman picked up the gun, and then decided to walk away. He waded a shallow river and hid in a willow thicket where the Gila and Colorado make a Y.

Johnny Behan picked me out, and we mounted our horses and rode toward the little island. I had a short .44 carbine in the saddle-boot, while Johnny carried a 45-70. We saw the prisoner behind a fallen tree, and Johnny grabbed my arm and ordered me not to shoot. A slug whistled between us, and then Johnny pressed trigger. The bullet nearly tore the Irishman's arm off, but he lived.

"How come you to stop me from shootin'," I asked Johnny.

"Because you'd have killed him," Behan answered quietly. "I feel sorry for these fellers, Frank. He was only a short-timer, an' there wasn't no need to kill him!"

"When he gets well, does he go in th' Snake's Den?" I asked.

"I wouldn't put even a snake in there," Johnny Behan snapped. "We caught th' feller, an' that's all there is to it!"

I REMEMBER talking to Buckskin Frank Leslie who was a prisoner at the penitentiary when I was Captain of the guard (Frank continued reminiscently). Leslie insisted that he had killed Johnny Ringo of Tombstone fame, but Johnny Behan only shrugged his shoulders.

"Johnny Ringo committed suicide, and that was the verdict of the Coroner's jury," Behan answered quietly. "I was a peace officer at Tombstone when Ringo was killed, and a lot of badmen at the time tried to win a reputation by claiming that they had killed the famous outlaw. Johnny Ringo shot himself in the head. If we had even thought that Buckskin Frank was mixed up in it, we would have had him before the body got cold. Leslie was forty miles away at the time!" And Behan dismissed the matter with a shrug.

Johnny Behand had his faults like any other man. But he was a brave man with a heart as big as all-outdoors, which is more than I can say for some of those other gun-fightin' gents who carried the law in Tombstone the same time he did. Johnny Behan never abused a prisoner like some of those two-gun sheriffs who were supposed to have tamed Texans. An' they never man-handled Texans either, because Texans didn't manhandle worth shucks!

ABOUT this time I began to get restless again. I quit my job at the Prison and went to Phoenix where I took a job breaking horses for Honorable Sam F. Webb who owned a half-interest in the Phoenix Daily Gazette.

My uncle, A. J. King, had published the first newspaper in Los Angeles; the old sheet called THE NEWS. Not only that, but he edited that rag with a sixgun in his hand. When I told Sam Webb that I wanted a chance to work on his newspaper, he threw back his head and laughed.

"What can you do on a newspaper?" he asked.

"I'm a top-hand cowboy and Buckaroo," I told him, "and I can learn to be a reporter!"

Webb introduced me to J. O. Dunbar who was Editor of the Gazette. Dunbar took one look at my cowboy riggin'; then he snorted through his nose.

"Go get yoreself some white man's clothes," he sneered. "This newspaper is no cattle spread!"

I took a swing at him. and we went around an' 'round until I stomped him with my boots, and the last thing he did was to fire me. I went down to the hotel to get my gun, and then I met Colonel McClintock who was City Editor of the Arizona Republican. McClintock laughed and talked me out of it.

"Don't never kill an Editor, Frank," he advised. "They ain't none of them responsible, and I'll give you a job as reporter on my paper. Come on down and meet Ed Gill, our Editor. He's a little feller, but he knows his business!"

"I'll make you my fighting reporter," said Gill. "Now you will have to go out and get yourself some WORDS to work with. You must get a vocabulary.

"But where does a feller get words?" I asked him.

"Read the Bible and Shakespeare," Gill advised. "You will find all the words you need."

That was fine, only I was a Democrat, and Democrats take their politics seriously. So four months later I went back to work for the Gazette. Three years later I was made Associate Editor of the paper, and got the owners in several libel suits for telling the truth about crooked politicians. A man should be in a position to take care of himself, and when things got too hot, I quit the newspaper and took a job as under-sheriff

of Maricopa county under Sheriff Jim Murphy. This was in 1893, and right then things began to happen.

Frank Armour was a cowboy from the Tonto Basin. He joined up with a wild cowboy named Shorty Donovan from Montana, and a big Swede named Rogers. They held up the train at Maricopa junction. and we received word that they were hiding in a dense thicket just six miles from Phoenix.

There were six of us in the posse that went after this gang. Jim Murphy and Harry Foster and myself, with three other deputies. We surrounded their camp, and Murphy and I went toward the left, while the other men spread out toward the right. We found the horses tied in the thicket, and then we saw the three robbers coming toward us. They had all cut big bundles of hay which they held in front of them.

"We can't shoot through that hay with shotguns," the sheriff muttered. "Shoot that first jigger in th' legs!"

I let the first robber have one load of buckshot in the legs and he dropped his bundle of hay. When the hay dropped to the ground, Murphy and I emptied our shotguns. It was Frank Armour, and he fell, riddled with slugs.

Swede Rogers was over six-feet tall, and he started running toward a barbed-wire fence. He cleared the four strands without touching the wire, and he was the only one to escape then, but he was captured three days later. Shorty Donovan dropped his bundle of hay and opened up with his six-gun, and he was hit six times with .45 slugs before he quit shooting. Shorty stopped shooting because he was dead!

I SERVED under several sheriffs, but I remember one time when I tangled with old Dave Poole who had been a Raider under Quantrell during the Civil War. This was at Phoenix in 1905, and Dave was an old man with a white beard.

He married a girl named Molly, and ran a little cattle spread a few miles from town. Molly was the only person who had any influence with old Dave, but every so often he would come to town and get lickered up. He never forgot his oath to Quantrell; a Guerrilla never surrendered!

When he was sufficiently mellowed, the old Raider, tall and straight as a pine tree with fire in his blue eyes, would stand on the street corners and shout in a loud voice:

"I hate all blue-bellied Yankees and Jay-hawkers. They're th' scum of th' earth, an' if there is any setch within th' hearin' of my voice, let him make hisself known!"

The citizens finally complained so much about the old Raider that I was sent down to quiet him. I found him on the corner speaking his mind about Yankees and Jay-hawkers and law-officers in general, and I tried to get him to quiet down and go home.

"A gent can go home when they ain't nowhere else to go," the old firebrand shouted. "An' you can't arrest me!"

I lost my temper. I made a pass and covered him with my gun, and called to three other fellows to give me a hand. And it took the four of us to drag that old Rebel down to jail where we put him in a cell. Then we telephoned for Molly to come in and talk to him.

Molly talked to him, but old Dave refused to give in. It was the first time he had ever been arrested and it hurt his pride. He glared at me through the bars, and he made a promise I knew he would keep.

"I'm goin' to kill you th' first thing I get out, Frank King! By God; I'm goin' to do 'er!"

I knew that old man would make a try. So we left him in jail over night, and then Molly talked to him again the next morning. She told him

that he wasn't under arrest, and that I was only doing my duty, and finally the old Raider sent for me.

"I changed my mind, Frank," he growled in his beard. "You was only doin' yore duty, an' I don't aim to kill you!"

"We better shake hands on it," I told him. "Before I unlock that door. I know you will keep yore word if you seal it with a hand-shake!"

"Put her there, but hod-dang it, this is th' first time I was ever throwed in jail," old Dave muttered, and shook hands solemnly through the bars.

FRANK KING built the Union Stock Yards in El Paso in 1910. Then he sold the yards, but stayed on to manage them for a year. Returning to Arizona, he bought a ranch and raised horses and cattle in the county where he had helped to carry the law. He knew Pat Garrett and Billy the Kid; Emmett Dalton, Johnny Behan and Wyatt Earp, and most of the other out-standing figures who made Western Frontier History.

For the last nine years he has been Associate Editor of the Western Livestock Journal, and his office is in the Union Stock Yards where he can feel at home among cattle and cattlemen. His "Maverick" and "Longhorn" columns are read by every stock-raiser in the southwest, and the language he uses is the language of the old trail-hand who herded cattle when you could ride from Texas to California without opening a gate or climbing a fence.

He has seen the old-timers come and go, but Frank King still rides a horse, and spreads his blankets on the ground with the other "Chuck-wagon Trailers" who rode the ranges prior to 1900.

His brown eyes are as bright as ever, and the same old spirit keeps him young and strong in body and mind. He has seen more real Western History made than any man living today. This trail hardened ole Rawhider who is known all over the South-west cattle country as . . .

"Maverick": The Fighting Cowboy reporter!

A FULL BOOK-LENGTH NOVEL

They were met by leaden hail that

FEATURING SMOKE MARLOW in

The RANGE

CHAPTER I

Bargain Behind Bars

HATRED flared in Smoke Marlow like coal-oil on a smouldering fire. It blazed in his blue eyes behind the heavy brows, tensed the six-foot-three frame of him. For a moment he felt his muscles swell and press against the steel manacles, which bound his hands and worked like a fetter on his spirit. The assistant prosecuting attorney, glancing toward him at that moment, mouthed something about a mad dog, turned loose on society—a menace which must be destroyed.

Smoke twisted again, only his fierce eyes betrayed the emotion which choked him. He had been likened, by the defense, to a modern Viking, and the similitude had been apt. Now he felt that the modern touch was gone. This flame of bitterness which burned within him was searing away any veneer of civilization, leaving him stark and primitive.

For a moment, sitting stolidly, he allowed his eyes to range half across the

Ruthless Guns Rain Leaden Death on

OF AN OUTLAW STRONGHOLD

By ARCHIE JOSCELYN

Author of "King of Thunder Valley," The Riding Devils," etc.

decimated their ranks (Chapter XIV)

OF NO RETURN

width of the court room, to the bed placed there. Stretched on it, his usually ruddy cheeks white and sunken, the high flame of courage that had burned in his eyes now only a wavering flicker against the creeping chill of death, was his young brother Tom Marlow. These fools and ingrates conspired to set a noose about his neck while the boy lay helpless.

At the moment, Dr. Eric Mayfield was bending over Tom. Not a bad sort, the red-headed doctor, Smoke conceded grudgingly.

In six months, Dr. Mayfield had promised, Tom Marlow could be upon his feet again, able to sit a horse. But in less than that many weeks, Smoke knew that Tom, like himself, would be rotting in a felon's grave.

Smoke's eyes passed on, came to pause upon the impassive figure of Judge Rufus Creston, his face as cold in its way as Smoke's was in his. For a week, now, he had sat up there, presiding at this trial, with little sign of human emotion.

Behind the ice-cold eyes of Rufus Creston there dwelt, his enemies said, no shred of human kindness. His

the Last Outpost of the Lawless!

friends would have disagreed but feebly with this diagnosis. He was a vulture of the law, perched and waiting for the feast. And the man had been a cattleman once!

RUFUS CRESTON speaking, in that dry, rustling-paper voice of his, declared a recess. Then, to Smoke's amazement, he found himself being led out of the court room, back into the judge's private chambers, with two men, as usual, guarding him. Judge Creston, already sunk in a deep leather chair, waved them toward the door.

"But, Judge," one protested. "You know yourself, that he's a bad one. One of us had better stay—"

"There will be no trouble, Mahoney. Kindly leave us alone for a few minutes."

He stood for a moment, having risen imperiously, watching Smoke Marlow with those coldly impassive eyes, then gestured toward a chair, sank back into his own. To Smoke's amazement, he produced two cigars, stuck one into Smoke's mouth, and held the match for him. There seemed a lurking amusement in the back for his eyes when he spoke.

"You're wondering what I brought you back here for, aren't you, Marlow? And you hate me as you would a snake."

"Yuh're a pretty good guesser, Judge."

"I know human nature pretty well. Yuh've withdrawn, these last few weeks, into an armor of hatred. Yuh're bitter as gall, and you have only one soft spot left in you."

"That's countin' it one too many."

The judge shook his head, flicking the ash off his cigar.

"No," he denied. "There's your brother."

He sucked on his cigar, watching under lowered lids, the swift flame in Smoke Marlow's eyes which came and went, the bunching of the big muscles, the quivering of the whole powerful frame.

"We'll leave him out of it, Judge."

"We won't." Creston's voice was a little hoarse. "You love him, and I've brought you in here to make a deal—to help him."

Smoke stared, unbelievingly. The words didn't make sense. His own voice was choked with pent-up passion as he replied.

"What's the use of lying to me, Judge? Yuh're jest as thirsty for my blood as any of the others. Not that I've ever done a thing to any of you, but that's not the point. You're vultures, and you gloat on being in at a kill. Tom is innocent, and so am I, we've told you that before. But every damned one of yore pack of curs is heading us right straight for the noose. And you've been helping them along all week, every way you could, with yore decisions from the bench. And yuh're a damned liar if you deny it."

Rufus Creston sat unmoving a moment, the sunshine of late afternoon creeping through a window and resting like a benediction on his silvered hair. His face did not change under this fierce accusation. But to Smoke's amazement, his shoulders seemed to shake a little, as with hidden mirth.

"Not much of a diplomat, are you, Marlow? Most men would try to curry my favor, given a chance like this. Instead you call me names."

"And you're not denying the truth of it."

"No, some of it's true. You should realize that, if things keep on as they're going, you and your brother will be found guilty and hung."

"Did you bring me in here just to tell me that?"

"No. I spoke of Tom, remember? Of saving him."

Smoke's breath seemed to go out of his body. He nodded.

"All right, Judge. Yuh've got me there. Speak yore piece."

"You're a cowboy, Smoke. So I take it you've done some horse-trading in your career?"

"Some."

"Well, this is a horse-trade. Your brother's life in exchange for another."

SMOKE'S eyes narrowed.

"You strike me as a damned queer sort of judge!"

"I've been accused of it before. Now listen." Rufus Creston leaned a little forward, his eyes took on a gleam, his voice lost some of its impersonal brittleness. "You know that there's another trial—another murder case—going on in the other courtroom in this building, now?"

"I've heard of it. Some woman shot her husband."

"That's what the law says. The same as it says that you and your brother committed murder."

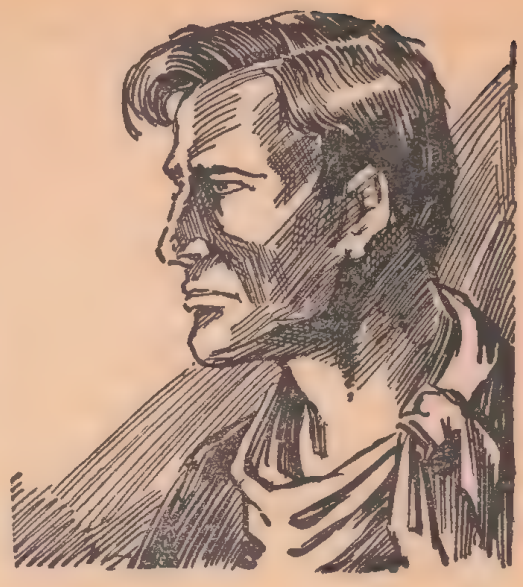
"Get on with it."

"This man—Nick Weber—you may have heard of him, a big lumberman. He was killed at a little cabin in the woods. No one was there to see it. They found the gun that he had been killed with, too. It was murder, all right, there seemed to be no question of that. And, undoubtedly, he deserved it. The gun belonged to his wife. And on that evidence, since she can give no convincing alibi, she will be convicted and pay the penalty, just as surely as you and your brother."

"What's that got to do with us?"

Judge Creston leaned back in his chair. For a moment, relaxed, he seemed a weary, tired old man. Then he was leaning forward again, the mask once more in place.

"It happens," he began, "that I take an interest in this girl—Patricia Brent. I loved her mother. She married Brent, instead of me. Pat looks like her mother and that brings back memories. The girl might have been my own daughter. I can't help thinking of her as if she *were* my daughter—on trial for her life."



Smoke Marlow

Smoke blinked. So there was a soft spot in Rufus Creston, too, one which few people had ever suspected.

"I'm still listening."

"Fine. I want you to save her from the gallows. I don't know whether she's guilty or not—I rather imagine that she is. Which would make no difference to me in any case. Nick Weber, from her story, needed killing, but the law takes no account of that, and it can twist facts to make white look like black. I've watched the trial, and, even if she is a woman, this is such an unusual case, with such pressure brought to bear, that she'll be sentenced to hang, or at least given life. There's only one way to save her. You can do it."

Smoke glanced down at his manacled hands.

"Not that way. Your story, which the law hasn't believed, is that you were in the Lost River country for several weeks, trying to trace some stolen cattle. That's your alibi for murder at the same time, in a different place. But you've not been able to produce a single witness to substantiate your story that you *were* in the Lost River country."

"If you'd ever been in that God-forsaken wilderness, Judge, you'd realize that you can travel there for weeks and not meet a soul."

"I've been in it. Well, your story, in this case, works out perfectly. It was during that time, and in the Lost River country, that Nick Weber was killed."

Smoke's eyes gleamed with sudden understanding.

"You want me to say that *I* killed him, and free her by my confession?"

Creston nodded.

"Exactly. With my help, you can make up a convincing story—one that will be accepted. Something to the effect that Nick Weber wronged your sister years ago, and you've been after him ever since. You finally got the proof on him, but not the sort that you could take into court, so you took matters into your own hands. We can make it convincing enough for our purpose."

"Think of that!"

The judge went on as though he had not heard.

"Your confession will free Pat, and will automatically clear you of the charge which you are now being tried on."

MARLOW drew a deep breath, then he shook his head.

"Maybe so. That's a right ingenious way of skinning a cat, and still leaving it with some of its nine lives yet to live. But it leaves me a confessed killer just the same, and I'd hang for that. What's the difference?"

"Not much, to you." The judge tossed his cold cigar on to a tray. "Except, that you would be saving this girl's life."

"Why the devil should I want to save her life? She's nothing to me."

"Exactly. But, as I pointed out, she is something to me. You would also be saving your brother's life."

"The horse-trade. How would you do it?"

"Your own proven innocence in this case would tend to weaken the case against your brother. With that much doubt thrown on it, I can see to it that the jury brings in a verdict of not guilty for him. Do this, and I'll do that."

"That's how much you think of your oath of office, is it?"

Creston's fingers trembled a little as he reached automatically for a new cigar. Then he brought it to his lips and lit it with steady fingers.

"Put it that way if you like."

"And I hang in any case?"

"You hang in any case. As it is, I'm doing the best I can—trading you your brother Tom's life in exchange for Pat's. You gain that much, and you're no worse off than before."

Smoke was silent a long minute. Curiously, against his will, he found himself respecting Rufus Creston. In a way, this frank admission of willingness to cheat the law, proved what he had always heard about the man. Somehow, though, in the light of these revelations, he couldn't believe that the judge was ordinarily crooked. There had been a glimpse of the real man—a man of high caliber, who hated the thing he was forced to do now.

But the old flame of chivalry burned in the judge's heart, and for its sake, and the sake of an old memory shrined therein, he was willing to go to any length. So much on that side. On the other, there was Tom—just a boy yet, in the very beginning of what had been a joyous career of life. Tom could go on, once he was well again, cleared in the eyes of the law. And Eric Mayfield would make him well, given the chance. Life, for Tom, instead of death.

And for himself? Well, at least he, too, would be doing a deed which smacked of that same chivalry—his lip curled a little at the thought—but it would be worth it, if he had to die in any case.

"You've forgotten something, Judge. It'd sound kind of funny, my confessin' to this, now."

"Not at all. It will be entirely convincing, with the motive I have suggested to you. You killed Nick Weber because of your high regard for one woman. Then, when you became convinced that another innocent woman was to suffer for your act, you stepped forward to save her. Any jury will believe it. You could see by then that you had nothing to lose. Oh, there will be no trouble there, take my word for it. Do we trade?"

"You'll see that Tom is cleared?"

"My word on it."

"It's a trade."

The judge coughed.

"I might be able to get you off with life."

"Behind the bars?" Smoke shook his head. Curiously, a lot of the stark, bitter hatred of an hour before seemed to have gone out of him. "Nope, Judge. Dyin' once, and quick, is a lot easier than stretching it out for a lifetime. Especially to a man that's been used to the open range and plenty of air to breathe. I'll expect you to tend to that as part of the bargain, and make it as short as possible.

CHAPTER II

Pat

OUTSIDE, rain was sweeping in long, blinding sheets, down from the mountains which hemmed the town on the west, enveloping the valley, blotting away sight of the more distant hills on the other side. Unmanacled now, but locked in cell thirteen, the death cell, Smoke Marlow strode back and forth in the narrow confines of his cage, his mind still like festering gall.

The whole program had worked out precisely as the judge had promised that it should. His confession, carefully worked out, had been accepted almost without question. The details which had been given had been all too convincing. That was the work of Rufus Creston.

There had been a sudden, unexpected climax to the trial in the other courtroom. Smoke hadn't seen it, but he had heard about it, had read the account in a newspaper. The jury, unexpectedly given the case forty-eight hours earlier than Judge Creston had counted on, had been out less than an hour, then had returned with a verdict of guilty.

And it was then, as Creston's fellow-judge was about to pronounce the sentence demanded by the law, that Judge Creston had brought in Smoke's confession and read it dramatically.

That had freed Pat. The next day, in a swift wind-up, Creston had granted the plea of the defense attorney and dismissed the case against Tom, from which Smoke's confession had already served to clear him. All that had been a week ago.

Today, dim through the rain, Smoke could see the spectral outlines of the gallows on which, with a new dawn, he would find freedom.

Beyond the door, the echoing, mustily damp corridor was dim as old memories. Now footsteps sounded loud on the cement, then the deputy sheriff was at the door, fumbling with a key. Smoke, at the window, swung around as the door opened, closed again. He blinked unbelievingly, but it was no illusion. It was a girl who stood there, regarding him with frankly curious eyes.

Smoke saw in that first glance that she would hardly come to his shoulder. She was dressed for the street, her rain

coat glistening from the storm, hair at the edges brownish-gold, faintly curly and moist. Then she was beside him, while the footsteps of the deputy echoed back down the hall.

"So you're Smoke," she said softly, and her voice held a little, bell-like note. "I had to come and see you—and thank you."

Smoke knew who she must be, now. Patricia Brent. Pat, the judge had called her. Somehow the name seemed to fit. But she wasn't at all as Smoke had pictured her. Despite the gloom of the day, the grim atmosphere of that gallows beyond the window, she had brought a breath of the wide free spaces with her, little as she was.

But she was a murderess. Even the judge had not doubted that. Smoke was to hang for her crime. His lips drew down.

"You've nothing to thank me for," he retorted shortly.

"Haven't I?" She was studying him with the intent, impersonal regard of a child. "That's a matter of opinion, of course, and I always pay my debts, Mr. Smoke Marlow. Besides, I know what it is to look out of a cell, and expect to go out of it only to die."

IRRATIONALLY, Smoke found himself liking her voice. It held a deep, husky, slightly throaty quality, deliciously soft. And the curves of her face, shadowed as they were, were girlish and wistfully sweet. He tried to steel himself against her.

"Curious to see what a killer looked like, were you?" he asked.

She made a little, impatient gesture, came a step nearer.

"Nonsense. I was convicted for that killing, so I guess we're on an even footing. We'll forget the past, since it's nothing that either of us can help, now. And—"

She leaned a little forward; a disturbing perfume rose from her hair. Suddenly, before Smoke even suspected her intention, her lips were pressed to his own for a long moment—cool, firm lips which seemed to quiver a little on his own. Then she was smiling up at him.

"That's a little interest of 'thank you,'" she said tranquilly. "I didn't want to die. The next question is—what are we going to do now?"

"I expect that yuh've got friends," said Smoke. His voice was harsh. Why must she do such a thing, reminding him of life, of the sweetness of it, when death was just around the corner, coming even more swiftly than winter, which would follow hard on the heels of this storm? "As for me, I guess that'll all be taken care of."

"I've only a couple of friends, that I know of," Pat said soberly. "You're one of them. Why, I don't know, but you've proved yourself. So I'd be a pretty poor sort if I stood by now and saw you hung, without trying to help, after your saving my life. I've thought it all out, and there's only one possible solution.

"I'm going to get you out of here when I go. I've got things all planned, all worked out. With horses waiting. We'll get out of town all right. After that—well, you're used to the open. So am I. It will give us a chance for life, at least."

This girl became each minute more surprising. Smoke stared in mounting surprise, shook his head.

"It won't do," he denied, and the spot of ice about his heart warmed a little. "It's nice of you to think of it—but we couldn't get out of here. Even if we did, the odds against us would be too heavy. And I know what the law is like when it starts after a man."

"It's a chance, and you're going to take it." She nodded decisively. "Do you think I could live, and enjoy my freedom, if I didn't try to help you? Besides, we can make it."

Smoke fought down the one side of him. The side which was excited at

even the chance of freedom, clamoring to try any possibility, no matter how remote. If he was caught and brought back, things could be no worse for him than what he faced now. But if she were caught, for helping him, that would be a serious offense.

He'd started in to play a game, and a part of it had been to get her clear before the law. It would be pretty cheap to get her back in trouble. He'd play out the hand he'd taken, to the end.

"Yuh're out of this now," he said shortly. "Stay so. Don't mix in anything else. Besides, it couldn't work."

"It's nice of you to want to keep me safe," Pat smiled at him. "But our destinies seem to have come together. Did you ever see two mountain streams join, and then turn back? It doesn't happen, Smoke."

She stepped to the barred door, called casually to the deputy. Smoke watched, a little puzzled. Already the deputy was coming. He was probably the only officer in the all but deserted jail at this hour. Outside, the wind howled, swirling the rain in lashing gusts. Inside it was gloomier than ever, damp, depressing. The door creaked as it swung open, and Pat turned to the deputy with a smile.

"It was so nice of you to let me see him alone," she said. "And now please put up your hands and don't make a sound, for I'll shoot if necessary, though I'd hate to have to."

MARLOW cursed under his breath, amazement and elation surging in him. The impetuous, calm little fool! She'd done it, now, and going on wouldn't make her offense any worse in the eyes of the law. Before his very eyes she had committed herself to the adventure, and they had to go through with it now, had to win, to save her as well as himself. Unwilling admiration was growing in him.

The deputy stood for a moment, his eyes big with amazement, then slowly

Joan Davids

lifted his hands.

"That's fine," she smiled. "It's mean to have to do this, but it seems to be the only way. Please step inside now."

The deputy obeyed. He was a tall man, and big—not as big as Smoke, but close enough of a build. He stripped off his coat without demur. A moment later Smoke had it on, the gun in his pocket. The touch of the cold steel gave him confidence.

"I suppose we'd better tie and gag him, hadn't we?" Pat asked.

"This is quicker—and better," said Smoke. The gun in his hand chopped down, a short, hard swipe, and the deputy sank to the floor without a moan. The girl stared at Smoke, sudden hurt in her eyes.

"Did you have to do that?" she asked.

The old, rankling hatred was boiling in Smoke. That blow had been cowardly, but it had been the release of pent-up passions against the law, long collecting in him. The knowledge that he had been wrong spurred his rage.

"The damn tin-star's lucky that it isn't a lot worse," he growled. "Come

on, let's get going."

He locked the door, helping himself to the bunch of keys, turned down the echoing corridor. The girl followed at his heels, silent now. Smoke snarled defensively.

"It'll be that much better for him, that way, when he's found."

Pat made no reply. She had come here, believing him a killer, probably figuring that he had confessed at the last minute to help his brother. But she had been willing to give him the benefit of the doubt. Now he'd removed that spark of doubt from her mind.

The street was ahead, rain-drenched, deserted. There had been no one in the outer office to stop them. Still in silence, they turned into the teeth of the storm.

CHAPTER III

Trouble on the Trail

"I'VE got horses waiting, and some supplies." Pat's voice was emotionless now. "We should be able to get a good start."

Smoke turned to look at her, breathing deep of the moist air. The rain stung his face, but in the feel of it there was a new and blessed sense of freedom. Only the trapped animal which has wrested itself free can truly appreciate what freedom means.

He saw her own face upturned to meet the storm, a fine, strong face, narrow and oval where his own was rugged and square. Her lashes were beaded with the rain, but her eyes were clear and unafraid for whatever might lie ahead, and something of shame welled in him.

"That'll be fine." His voice was far gruffer than he had intended. "Guess I owe you a lot of thanks."

"You owe me nothing. Come on, then."

The horses were waiting, under trees which dripped like slow-falling tears. The saddles were wet, the animals steaming, tails turned to the rain. The town seemed wrapped in it, deserted save for themselves.

Already soaked to the skin, they swung into the saddles, and a minute later they were riding, knee to knee, out of town, leaving the winding ribbon of mud which was a road, striking off toward the dim gray line of hills. Packs were tied behind each saddle—packs well rolled and skillfully tied, Smoke had seen in a swift appraising glance.

Again that warmness was struggling in his chest, trying to thaw the ice which had clustered around his heart for days and weeks now. Tomorrow they had planned to hang him. Now, because of this girl who rode beside him, who was willing to risk freedom, even life itself in paying what she conceived to be a debt, he had a chance for life, if not for liberty in the usual sense of the term.

A little thrill leaped in him as he noted how her face was set into the storm, the free, easy grace of her carriage, the strong, confident poise of her. Here was a partner to follow the long trail with—and it would be a long, hard trail, unless they were caught and brought back. He strove to keep his voice matter-of-fact.

"You made any plans ahead?"

Something in his tone seemed to challenge her attention. She turned to look at him, and Smoke blurted what was in his mind.

"I'm sorry about—back there."

Pat smiled, her face transfigured, a slim hand reached across to grasp his fingers for a moment.

"That's all right," she said. "The

past is behind both of us. We'll go on from here."

"That's right," he agreed gravely. "We'll go on from here. Only, I hate to see you in this mess, now."

"I'm in it," she reminded him simply, "and there's no going back. From now on, I guess it's pretty much up to you. I've made no plans."

"Isn't there anywhere you'd like to go? To friends, or something?"

"I have nowhere to go."

The simple poignancy of that statement made a red haze swim before Smoke Marlow's eyes. He scowled blackly into the storm, considering. It was the owlhoot trails which they must ride, now. Their only hope of salvation lay in reaching a country beyond the law. Only, that was no country for a woman.

"The only place where I'll be safe is the Range of No Return," he said. "But it's no country for you."

"We're going ahead," she reminded him. "Of course, if you don't want me along—well, I can always take some other trail."

"You must think I'm a skunk!" Smoke's voice was savage, then something of the old gentleness, of days before trouble with the law, flowed in his tones. "We're partners, Pat, and we stick together—to the end of the trail."

AGAIN that transfiguring smile was on her face, her hand reaching swiftly, impulsively to his.

"To the end of the trail—pardner," she agreed.

"Reaching the Range of No Return isn't going to be easy," Smoke went on, after a moment. "We've got to cross the mountains to the west, and head down their slopes. And it'll be winter in those hills by now. Also it's a long, hard drag, any way you take it. Of course, we might try swinging to the low hills south, though that's about twice as far."

"Isn't there a pass through the mountains?"

"Yes, but they'll be watching it."

"Not much doubt of that. I think the mountains west sound like the best plan, Smoke."

"The Pass it is, then." Smoke sighed with relief. "And we'll have to keep traveling, or winter will close down on us and bottle us up. If that happens this side the pass, we'll be out of luck."

Winter was the more pressing of the dangers that faced them, as Smoke saw it. Given a fair amount of luck, he had no doubts of his ability to outwit the pursuit which would be sent after them. But it was a long way across to that owlhoot country known far and wide as the Range of No Return.

"You think they'll make a big hunt for us, then?"

Smoke's nod was grim.

"This is the sort of thing that can't be overlooked. Don't forget Nick Weber's money."

Somewhere, from the town behind them, now blotted away in the rain, came the mournful wailing of a siren, its voice blended and uncertain.

Pat smiled at him, a rougish light of mischief peering from her eyes.

"If it had been me, I'd have kept quiet so as not to give us warning," she said. "Now we'll keep one jump ahead of them."

Trees showed ahead—cottonwoods, with the deeper blue of evergreen beyond them, merging to the misty purple of the mountains. Here was a creek, muddy, freckled with splashing rain. As they rode through a fringe of willows, they unloosed wetness like a broken cloud, then they were splashing through the creek.

"Let's ride down it as far as we can," Smoke suggested. "Hide our trail as much as we can."

Pat followed obediently. But Smoke

knew that this ruse wouldn't profit them much. It was ten to one that their soggy trail would be picked up quickly. Their only real hope was to keep ahead until darkness came to their rescue. If they could do that, things would be definitely in their favor.

Gray haze engulfed them, the town and civilization itself seemed a thousand miles away. The siren's voice had wailed itself into silence, and now there would be no further warning. But by now men would be in the saddle, spreading out. Faintly, a rifle shot sounded, followed by two more in quick succession.

Smoke glanced at his companion, saw by the added paleness of her cheeks that she understood that, too. Already the posse had found their trail. Well, they were a mile ahead, and with luck, they might hold that lead. As long as they did, the storm was a perfect blanket.

Their horses' hoofs made a soggy, sucking sound at every step. Forcing their mounts to a faster pace wasn't easy in such heavy traveling. Despite the chill of the rain, the horses were both sweating. Buckbrush, growing in brown-green waves on the shoulders of hills, slapped dully against their legs and shod hoofs clicked now on rocky ground.

Smoke Marlow strained his eyes for a sight of some terrain where they could hope to go without leaving a trail. Another hour, and the rain would have washed away nearly all signs of their passing, but they had been denied that hour.

THEY had been traveling for a long time, now, with nothing to indicate that a posse followed relentlessly. It wouldn't be many more hours to darkness. For his own part, soaked from the beginning, Smoke Marlow was chilled. The girl who rode beside him must be even more so, but she made no complaint. She still had that same encouraging smile which came and went like the flashing on of a light.

They had been gradually climbing toward the hills which were still ahead. Marlow wondered if the silence meant that they had eluded those who followed. Then, where the wind dropped briefly, he heard voices, not far behind. Their pursuers had been cutting the distance down.

Pat had heard, too. By common consent, they pushed their jaded horses ahead again.

Then disaster came without warning. A small, round rock turned under the hoof of Smoke's cayuse, and the next moment, he was sprawling on the ground and the horse was thrashing wildly in an agony of pain.

Staggering to his feet, Smoke saw that the game little cayuse was up again. But this time with its right foreleg lifted off the ground, the lower part of it hanging oddly limp—broken.

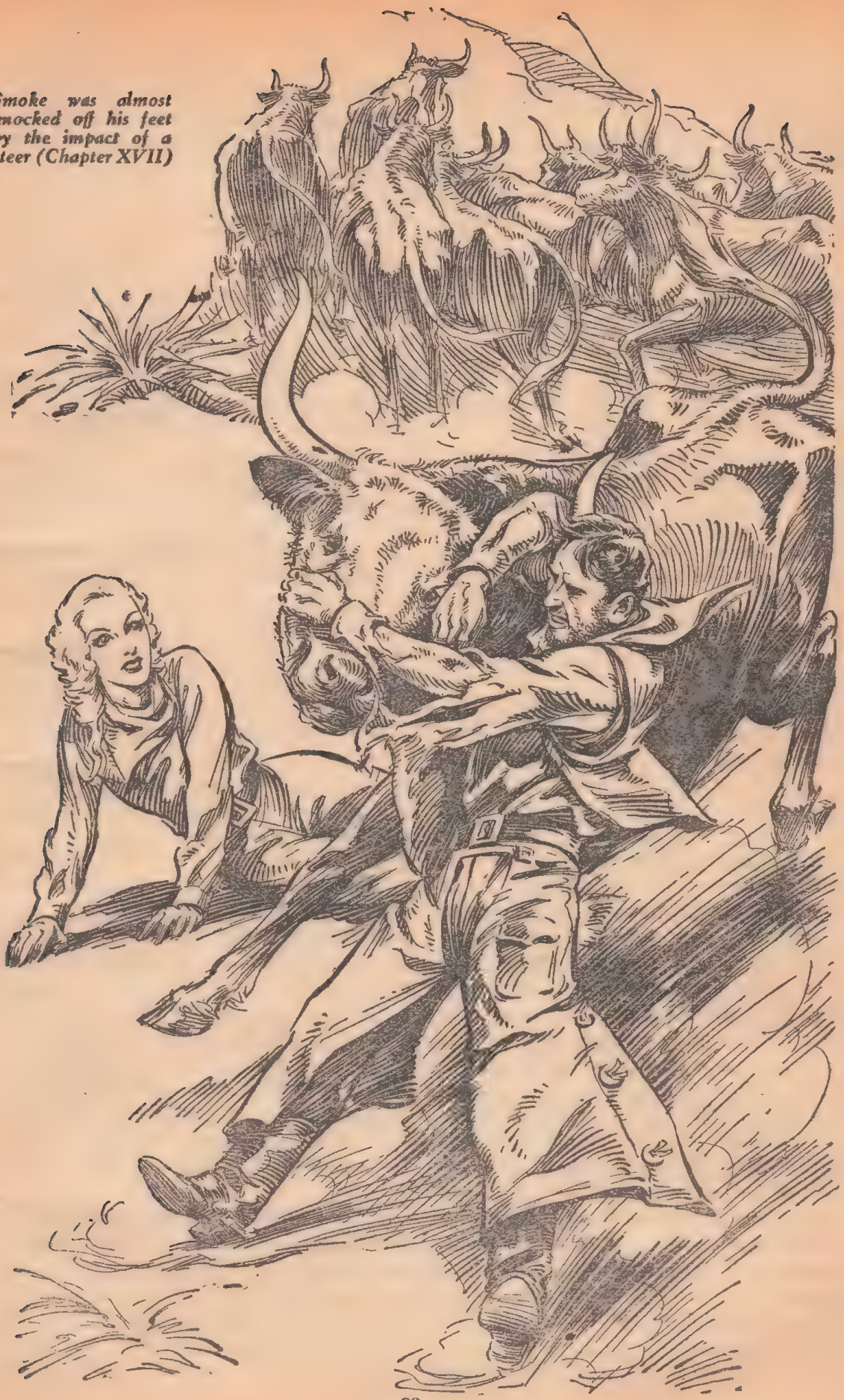
The look of dumb pain and pleading in the horse's eyes was matched in his own as he considered this sudden misfortune. Here was disaster.

Pat was beside him. She had jumped down, stumbling from long hours in the saddle, wet and half numb, almost falling from stiffness, then she was at his side as he stood up again. Her voice was almost a sob.

"Smoke!"

"I'm all right." He tried to grin reassuringly at her, but he knew that it was the thinnest of smiles, a ghostly jibbering of the little devils of disaster. Turning at a sound, he knew that it was more than that; for, taking advantage of its chance, Pat's horse was vanishing in the storm, going at a trot, head held to one side, reins dragging. One horse in a thousand will do such a trick whenever the chance is given, instead of standing hitched with reins dropped, and Pat's horse had to be the one.

It was too late to overtake it now. And even as they stared with sagging jaws, a line of horsemen came out of



Smoke was almost knocked off his feet by the impact of a steer (Chapter XVII)

the gloom, then they caught the horse.

DESPITE himself, Smoke was staggered. The loss of his own horse, a moment before, had seemed bad enough. But now they were afoot, their supplies gone in the batting of an eyelash, the posse close behind and riding triumphantly.

"Oh, Smoke," Pat's voice quivered like a child's. "I—I'm sorry!"

"Not yore fault." His own voice was gruff. "Come on, they haven't got us yet."

He reached and caught her hand, then was leading the way at a run. The storm was slackening, definitely, but that was a mixed blessing. The posse behind them could see farther and easier than before. But, just ahead, the better vision revealed a jumble of broken country, with little, deep canyons where water had gashed down the long slope.

Many of these were filled with brush —brown buck-brush along the edges, with occasional clumps of wild currants or stunted service-berry bushes farther down. Then, in the bottoms, there was luxuriant rose briars, spiny thorn-apples, and choke cherries.

The posse was spurring hard. But two things saved them for the moment. Because Pat ran close beside him, and because she was a woman, they were not risking a shot at Smoke. Also they were fully confident that, with the fugitives on foot and so close, their certain capture was a matter of moments.

Abruptly, the sheer gash of a canyon was ahead. Here, at some time in the not distant past, a cloudburst had ripped its way down the slope, and this steep-sided canyon, in the course of years, would wash out to the gentler slopes of a coulee. For the present, however, it was a straight drop for twenty feet, which they slid down, landing with a jar which was partly broken by farther sliding.

They ran on down, another hundred feet, sheltered by the steep sides, scrambled out and dashed across to a neighboring coulee where brush grew densely. From behind came the single sharp report of a rifle. Someone was putting Smoke's horse out of its misery.

Marlow winced at the sound, almost as though the bullet had been in his own flesh. The hurt, hopeless look of the cayuse that he had been forced to leave, was still vivid in his mind.

The shot was another knell to their hopes. There had been no time to untie and recover even the one pack behind the saddle. If they should be lucky enough to stave off capture until darkness came to their rescue, they would still be without food or blankets or supplies of any kind, with the bleak wilderness ahead.

For a moment they crouched there, and Smoke fancied that he could hear Pat's heart thudding in her breast, though there was still no fear in her eyes. The posse was spreading out now, making a circle to hem them in. They knew that they had them trapped, though they might be in any one of three or four coulees bunched close together here.

Had Smoke been alone, he would not have hesitated to fight it out, although he knew there was but one conclusion. It looked like the end of the trail. Even this would be a better ending than he'd hoped for, when he had agreed to Judge Creston's conditions.

He considered making a stand, but Pat was beside him, and he couldn't run the risk of a gun-fight while she was here, not merely to save himself from a different type of death.

THERE was another coulee close at hand, and they might be able to crawl through the intervening brush and reach it. Only, they would still be no better off. He drew the Colt's from its holster, studied it frowningly. Pat, beside him, was trembling a little,

whether with cold or nervousness, he could not be sure.

"Smoke, what are you planning?"

He thrust the gun back into the holster, conscious of that same chill shaking his own body.

"Jest wishin' for the moon," he explained. "Thinkin' how nice it would be if we only had a long string."

"I thought that might be it." Eagerly, she was reaching into one of her coat pockets, then thrusting a long tangle of small cord toward him.

"I found this on the street as I was coming to the jail," she explained. "Some boy's lost kite string, I think. It just occurred to me that even string might be handy on the trail, and I picked it up."

A glow coursed through Smoke's veins, driving out some of the chill of hopelessness. This was better luck than he had hoped for. The chance of working the trick, of course, was a slim one, but it was at least a chance. Which was better than crouching here and waiting for the end.

He had taken a jack-knife from the deputy, back in the jail. A clump of choke cherry brush grew here, the trees reaching for twenty feet into the air. Back in here, for the moment, they were well hidden.

Swiftly he cut a stick, trimming it, splitting one end. Pat, without instructions, had been working swiftly, deftly, taking several snarls out of the string, coiling it into a little lasso as she did so. It was a dull, wet brown, almost invisible against the muddy ground. Smoke turned to her.

"Wait here, Pat. I'll set this gun, in the next coulee."

"Set it here," she urged. "It will save time, and I can crawl to the next one with you."

She was right, though it meant harder work for her. He thrust the stick deep into the ground, set the cocked gun in the crotch, the string tied to the trigger. Pausing a moment to make sure that there was free play for the string, he led the way.

It was a white-whiskered trick, but it might mean the difference between escape or capture, if they could work it. That would be the hard part. Running the string as they went, keeping it from snarling or catching, and not giving a tug that would set off the gun, was only part of it. They had to get well off themselves, across into that other coulee. Even if they accomplished that, there were a lot of other factors involved.

By now, they had reached the crest of the coulee, and here the denser brush ended. Ahead was a thirty-foot stretch, leading across to the other coulee so close at hand and yet so far away. There was a shelter of dry buckbrush, but they were low-growing and scanty.

FOR the moment, no one was in sight. Which might mean that the posse of men was still some distance away, or it might merely mean that some one was hidden close at hand, watching for an incautious move. They couldn't risk standing up and crossing boldly.

Pat was wriggling through the brush ahead of him. The jaunty smartness which had been hers a few hours before, was gone now. She was soaked, bedraggled and covered with mud. Yet the spirit which had glowed in her eyes then was undaunted still.

Smoke followed, playing out the string as he went, a little incredulous when he found himself dropping into the other coulee. Nothing had happened across that thirty feet.

For the moment, luck seemed to be favoring them. From this coulee mouth there was a chance to reach a third, and that in turn led to some of the roughest, most broken terrain they had yet encountered. Only, the line of searchers was closing in, and somewhere their trails must cross.

Smoke Marlow estimated that he had played out nearly two hundred feet of the string. If only it didn't catch somewhere when he wanted to jerk the trigger! Two hundred feet wasn't much, but it might mean salvation.

The rain had almost stopped by now, though the bushes still dripped. On the shoulder between the two coulees, a man came into view, eyes intent. If he was any sort of a woodsman, he'd see the trail where they had wriggled across—unless his attention was distracted. Smoke gave a steady pull on the string, heard the muffled crash of the six-gun.

Everyone else had heard it, too. Down below, near the coulee mouth, at the spot they needed to cross, two or three men broke into view, crossing the

open at a run. Having heard the shot, everyone was certain that they were in that other coulee now, and they headed toward it.

Pat was leading the way down the coulee bottom, going almost at a run, careless of thorns or clutching brush. Minutes, even seconds, were precious now. The ruse might not be discovered for another quarter of an hour, since the posse would be cautious so long as they believed that Smoke Marlow was ready to shoot it out with them. On the other hand, someone might stumble across the string.

But they had left the one coulee behind, were across now in territory that had been searched. Smoke turned with a fleeting grin, saw Pat's responsive smile, then they were pushing on, still keeping to cover.

Darkness was settling, now. Their trick had been discovered long since and the search was on again. But for the night, at least, things were in their favor.

A scattering of pines grew here, a creek wound down from the mountains, screened by a line of naked willows. Moving along through the fringe of brush, side by side, in the ever-deepening gloom, Marlow stopped suddenly, then crouched down, Pat following his lead. Someone was coming, close at hand.

UNDER his hand, Smoke felt a stick, the bark long since gone. It was driftwood, soaked from the rain, but he saw now that there was a huge pile of it here. Underneath, there would be plenty of dry wood. If only they could have a fire, to dry out, to take that persistent, deadly chill from their bones.

Pat was pressing close to him as they crouched there, seeking such warmth as their bodies might give. If there was any heat in his own, Smoke didn't know where it was. He heard Pat's teeth chattering, knew that her face was almost blue with the cold. Somehow, soon, he had to get her to fire and shelter. She was game—the gamest kid he'd ever known, but she couldn't stand this sort of thing much longer.

Then, somehow, with an under lip taking the punishment, she was stifling even her chattering teeth. Men were all around them, now; so close almost that they could reach out across the pile of drift and touch them. The posse hadn't been drawn here by any trail Marlow and Pat had left. What they planned to do was to build a fire from some of the drift, and get warm.

CHAPTER IV

Midnight Pass

THERE was grim humor in the situation which, at any other time, would have appealed to Smoke Marlow of other days. Now, once more in the open, with Pat beside him, the bitterness of those nightmare weeks was departing, leaving him again the man of even temper and steady judgment.

But right now he was too cold, too worried about Pat, to appreciate this latest jest of Lady Luck. Already the posse was tearing out some of the dry wood from the bottom of the pile of drift, just across from where they crouched, then a match spluttered in the darkness, flared a moment, and a growing flame knifed higher.

The fire was too far away to give them any of its heat, but it was so close that its light might betray them. To attempt to sneak away now was out of the question. The creek was on one side and the drift hemmed them in the other.

To stay where they were might mean discovery at any moment. A sneeze or cough would certainly betray them. And to watch the torture of the fire so close at hand, with the piled driftwood blanketing away any vestige of heat which might have reached them, was even worse.

That the law riders intended to stay for a while, perhaps even to camp right here for the night, was evident. They were crowding around the fire, rubbing chilled hands. One was unpacking supplies, another slicing bacon into a skillet, and coffee was bubbling in a pot.

"Guess we might as well camp right here, for the night." That was Sheriff Bart Creston, a cousin of the judge, speaking. "Nothing we can do in the dark. Only keep a close watch on them cayuses. This Smoke is a plumb slippery hombre, and we don't want him swipin' them during the night and puttin' us afoot."

Smoke was getting desperate. The savory odor of bacon and coffee was as delectable a smell as had wafted to his nostrils in long years. The camp cook was already turning out browning biscuits between two pans, with plenty of bacon and the coffee in tin cups. Judging by himself, Pat must be faint with hunger, and he could feel her shivering again.

Deliberately, Smoke arose, sidled around in the darkness, and, hat pulled low, accepted a tin plate heaped with biscuits and bacon and steaming cup as it was handed out. Eating, as the others were doing, he drifted into the background, sidled back to where Pat waited. Her whisper was incredulous, her eyes sparkling in the reflected glow of the fire.

"You did it! Smoke, you're wonderful!"

"Down the coffee," Smoke adjured. "Drink it. And sail into this grub while it lasts."

The bacon and biscuits might have been nectar, and Pat's shaking subsided a little under the influence of the scalding cup of coffee. Someone growled a question.

"Where's my plate, Tubby? Aimin' to starve me?"

"Thought I'd filled a plate for everybody."

"I ain't had none."

"Well, get one, then, and dish it up yore own se'f. Reckon Jake's been grabbin' off an extra helpin'."

IF Jake heard, he offered no denial. That minor crisis was past. It wasn't much of a meal, divided between

the two of them, but it helped. Smoke considered the possibility of slipping into the creek and crossing it. They couldn't be much wetter than they were already, but the water was deep here, and bitterly cold. It would more than nullify the effects of the coffee. Besides, he wanted horses.

For the present, there was nothing to do but wait. The others were still eating, and to move now was to invite discovery. Several were crouching down within the radius of the fire, some sitting on the pile of drift, uncomfortably close to them. Only the fact that the blaze rendered the darkness doubly thick just beyond, and that everyone kept staring into the fire, protected them.

Pat's whisper came, agonized.

"Smoke! I can't hold out much longer, without sneezing!"

A stick snapped loud in the fire, one end of it, part still blazing, flew toward them. Smoke's hand, jerking up to shield their faces, closed deftly on the end which was only smouldering. With a quick flip, he sent it ten feet away, into the bottom of a second pile of driftwood.

Still no one paid any attention to it. Fed now and beginning to get warm, they were not inclined to pay much attention to anything but the subject of bed.

For a moment the stick smouldered, crept to flame again. Then, all at once, the pile of drift, behind several of the posse, was on fire, the flames racing up, catching in a dead pine tree and spreading.

With a startled curse, the sheriff turned, shouted an order. As the others sprang to stop the spread of the fire, Smoke and Pat were slipping away, keeping to the denser shadows. They were past the others—now for the horses.

A man on guard loomed directly in Smoke's path. One hand was streaking belatedly for his holstered gun, but the big cowboy's fist slammed him back. He hit the ground, lay dazed for a moment, and Smoke grabbed his gun, and was past before he could get up again.

Smoke had hoped, against his expectations, to find the horses unhobbled. But they were hobbled with several short lengths of rope. There was no time to get the extra ones loose, to scatter the herd. A bullet droned in the darkness, but that was guess-work, for, after working around the fire, the others were as blind as bats.

Smoke had two horses loose now, the hobbles slashed. At his side, Pat gave an exclamation, thrust a pair of bridles into his hands.

"I can't find the saddles," she gasped.

Smoke was fighting one of the horses, striving to get the bit between its teeth. In typical cayuse fashion it had clamped its teeth, head upflung, while it tried to back away. But the big cowboy had had plenty of experience.

One arm around its neck, he forced the hammer head down, dodging flailing hoofs as it tried to rear, jammed the bit in. There was no time to buckle the chin strap. The posse were almost upon them, running, yelling. Pat, he saw, had bridled her horse with less trouble and was already mounted.

His own horse dancing, snorting, Smoke managed to get on its back. For the next few moments, clutching the mane with one hand and the reins with the other, he was hard put to it to keep his seat. Then, sensing a master, the cayuse was plunging wildly in the darkness, following where Pat led on its mate.

IT had been touch and go there, in the night, and the others were mounted almost as quickly, trying to pursue. But they were no longer on foot, and while the rain had stopped falling, the night was black, the clouds hanging low and unbroken. Pursuit,

under such conditions, couldn't amount to much.

He had almost lost Pat in the night, then she was beside him again. By now the sounds of the posse had almost died away, the camp fire was a dim red eye behind.

"What are we going to do now?" Pat asked, as she sneezed suddenly. "I'm completely turned around."

Pat

"There's a cave about three miles from here, where we can hole up," Smoke said.

"But can you find it in the darkness?" she demanded.

"I can try," he assured her. "Once there, we'll have a fire and get you warmed up."

The horses were warm at least. The lack of rain helped a little, though there was a breeze blowing which, striking through their wet clothes, seemed as if it had come directly off an iceberg.

Smoke Marlow had his directions straight now, however, and it should be simple enough. There was a long canyon ahead, from a mile in width at its beginning to less than a hundred feet, a few miles farther on. This was the pass for which they had been heading all day.

There was one thing that worried Marlow—Bart Creston's willingness to camp. So far, they were ahead, and if they kept riding, they might keep ahead. But Smoke was wary of that notion. The sheriff had been too willing to camp, back there. Which must mean that he'd hoped they would see the campfire, and reason that the pass ahead was clear. Once in it, blundering along, they might find other guards already posted.

But that didn't worry him now. Let the posse enjoy their own cleverness. Halfway through the pass, miles short of the narrows, a hundred feet up the mountain on one side, was the cave. It would be dry, protected from the wind. Also, there was a heavy fringe of trees in front of it, to hide a fire from any eyes, even of riders in the valley below. They would hole up there for a day or so, until the vigilance at the narrows was relaxed.

Now they were in the long canyon. The vague, looming, distant mountains on either side told him where he was. The mountains rose up on either side for tremendous heights. Aside from this route through the pass itself, Smoke knew that the hills were almost impassable. Another week or ten days, when the already delayed winter had set in, there would be no crossing those trails until another spring.

So far, Lady Luck at least divided her smiles. A snowflake, wet and moist, touched Smoke's face, and his jaw set a little more grimly. The storm was starting in again, and by morning there would be plenty of snow. By rights, they should get through this pass tonight, before a trail would be left in the snow.

But that, even aside from the probability of guards ahead, was out of the question. They had to have shelter, a fire, and soon. It was turning swiftly

colder now, the big flakes were becoming smaller, thicker, the air suddenly choked with them.

Soon their clothes would be freezing on them.

SMOKE swung in, closer to the hill, until they were riding beside the right-hand barrier. Finding the cave, in this inky blackness, wasn't going to be easy.

Here were trees, that marked the entrance to the spot. They had ridden into them in the gloom. They dismounted, left the horses tied among them, remembering the experience of the afternoon. Because it was warmer to keep moving, Pat went along with him.

Climbing that pathless, steep hill, with a skim of snow frosting on it wasn't easy. They blundered into trees, branches whipped their faces. But something, a sense of feeling for the place where he had once passed a night, told Smoke that this was the place he wanted.

Then he saw it, just ahead and above them. The quality of blackness was hardly noticeable, but that was the cave. A hole about four feet high and six wide, on the outside.

"Here it is," he said cheerfully. "You poor kid, you're freezing, aren't you? But we'll remedy that, pardner. Be careful to duck your head."

About to step inside himself, Smoke stopped, tense. It was as much a sense of wrongness as anything else, though by now his nose was catching the odor. Then a growl, seeming to come from just in front of them, brought confirmation.

The cave was already occupied. And by an undesirable tenant. A bear had taken squatter's right.

Something in that heavy odor, that rasping growl, warned Smoke of real trouble.

It was trouble spelled with seven letters which made Grizzly.

CHAPTER V

Bullets for Breakfast

PAT'S hand was on his arm, and only in the pressure of her fingers could Smoke sense the tremor which shook her body.

"What are we going to do?" she asked.

"Smoke him out," Marlow said cheerfully. "It ought to be simple. There's an old pile of dried boughs back in there, and I know jest about where they are. Toss a flaming brand in on them, and get out of the way. I have a hunch that he'll be glad to vacate, and, once he's gone, he won't be anxious to come back."

It sounded simple, sure-fire. But Smoke doubted if Pat was deceived by that.

Right now, though, there was no choice in the matter. This was the only shelter that they could hope to find. It was the one place where they might stay hidden while the posse searched the pass, and not be found.

Stumbling around that black, wet hillside, trying to find something to make a torch of, was mean work. Smoke finally found a half-rotten stump, fallen nearly flat, and under it several dry sticks.

There was only one way to get a torch lit, and that was to risk building a small fire near the cave mouth, in a protected spot. It might be seen by some rider in the pass, but that risk had to be run.

With a torch flaring, Smoke approached the mouth of the cave again. The bear was still there, which meant that he was in a truculent mood, of no mind to slip away while the coast was clear. Revolver in one hand, Smoke

tossed the brand back in, saw that his judgment had been good. It struck an old pile of boughs, smoked a moment, then they burst into flame.

The bear was coming out. Smoke had counted on that, but he'd hoped for time to get back out of the way first.

For the first time in those grim weeks which had overtaken him with the charge of murder, Smoke knew terror.

There was no time for thinking. The bear was upon him in that first mad rush, and the fireglow behind threw its rushing bulk into stark relief. Smoke saw gaping jaws and bared fangs, and acted instinctively. As he brought the gun up, the huge mouth tried to close on it; with the barrel thrust deep into that cavernous throat, as much by the bear's rush as his own thrust, Smoke worked the trigger as fast as he had ever done in his life.

He was aware of a mountainous weight descending on him, sprawling over him, a wrench on his arm as his hand came out of that red cavern, and he knew that he was still trying to shoot, but now the firing pin was clicking on empty shells. There had been almost no sound at all, save for a hoarse coughing of the dying grizzly.

DAZED, Smoke tried to move, to wriggle out from under. Then he heard Pat's voice, breaking on a sob, frantically calling.

"Smoke, are you all right?"

But Pat was beside him then, her arms cherishingly about his head, crying, laughing at the same time. The bear was sprawled, unmoving, which must mean that it was dead.

"A right lot more so than I've any reason to be, considering," Smoke agreed. "Only trouble is, this critter's kind of sprawled all over me. If I could just get out from under—"

Forcing herself to calmness, Pat considered the situation a moment, then got a hold and lifted. Tugging at a

Harley Davids

half-ton of dead grizzly didn't make much effect, but it was enough that Smoke managed to wriggle out and get to his feet.

The fire was already dying, back in the cave. Scooping up such wood as still remained outside, Smoke threw it on the embers, turned to Pat. In the light of the fire, back inside the cave, her face showed white and strained, and he saw that she was almost at the limit of her resources, though her eyes still met his with that same high glow of courage.

"Pat, you stay here by the fire," he told the girl. "I'll get more wood to keep it going."

He hurried out, oddly shaken, forced to lean against the bole of a tree and rest for a minute. He hadn't thought much about it at the time, save for that first wave of terror as the bear was upon him. There had been no time for thinking. But now the reaction left him weak and unnerved.

It was more luck than anything else that they were both alive and unhurt, the grizzly dead. Moreover, there had been no alarm, no roar from the bear

which would have echoed all up and down the canyon, and, more betraying still, no sound of gunfire. Yet he had emptied his revolver down the bear's throat.

Smoke went on, gathered up as big an armful of the stump wood as he could carry, returned to the cave. This time, Pat demanded to know how he was.

"There's blood on your hand," she exclaimed.

"Grizzly blood, mostly, I guess," Smoke said, and managed a laugh.

The body of the grizzly lay partly in the mouth of the cave, and, from outside and down below, no reflection of the fire could be seen.

Smoke was tired, but he moved now in sheer exultation, and the exertion was getting him warm again. He made more trips for wood, returned to the horses and, remembering a small side canyon not far off, led them up there and left them. He preferred not to be set afoot again the next morning.

Vaguely he had planned to skin the grizzly yet that night, but when he returned from caring for the horses, Pat was asleep, curled up on the far side of the fire, her clothes dry now, the cave warm and pleasant. Smoke sighed, estimated the wood pile, and sank down on the other side of the blaze.

Morning found him considerably better off than he had counted on being that dawn, twenty-four hours earlier. Pat declared herself as good as ever, stretching luxuriously, and asserted that she was hungry enough to eat a bear.

"I'll skin this fellow, cut off a steak, and we'll roast it," Smoke nodded. "After that we'll try and jerk some of the meat before we leave. It may come in handy later on."

THE snow had stopped with daylight, though a layer of several inches lay along the valley floor, with more on the heights above. During the day, they saw members of the posse ride up or down the canyon, but no general search was being conducted today.

"They don't know about this cave, that's a sure thing," Smoke commented. "So we'll stay here a day or so, till the bear skin is fairly dry, then go on through with the next storm to cover our tracks."

They planned to stay until the bearskin was fairly dry, but the next morning, instead of a snow storm, a chinook wind was blowing down the pass, and by afternoon the snow on the valley floor was gone.

"We'll start on, tonight," Smoke announced, after a scouting trip. "Unless they're keeping pretty well under cover, there's nobody in the pass."

The couple of days' rest had not been wasted. Pat was herself again, completely recovered from the exposure of that first day and night. Watching her, Smoke was more than a little amazed. He had known little enough of women in his career.

Smoke Marlow had never suspected that such women as Pat existed. One who could share the hardships of the trail with a man like himself, keeping her end up and doing it without complaint or lagging behind. And who, for all that, was as sweet and beautiful as he had ever pictured a woman in his dreams.

And yet, there remained a nagging thought in the back of his mind, try as he would to crowd it out. This woman had been accused of murdering her husband, had been found guilty by the law. Save for his own confession, she would still be in the toils of the law.

Then it came to him that, aside from the frank, natural comradeship of the trail, he knew little or nothing about this woman who, because he had helped to free her, had taken it upon herself to save his life in turn. Until the moment when she had entered his shadowy cell like a ray of sunlight, the past

closed in dark and threatening and ugly.

The cayuses snorted when they prepared to set out again, his own objecting violently to the grizzly robe which, lacking a saddle, Smoke had tied to his own shoulders. But that was a robe worth half a dozen blankets, which they didn't have, and Smoke convinced the hammerhead that it wasn't a matter of choice. Then they went on.

This was a far different night than the one on which they had come to the pass. A thin moon floated in the velvet of a purple sky, pricked out by scattered star dust. The air was warm, almost summery, though snow still lay like poured silver on the higher hills.

Ahead now the canyon narrowed, the hills on either side seeming to press in, to rise straight up until lost in the vague reaches of the night sky. Here was where the sheriff might have left men on watch.

But they were into it, then through it, without a challenge, and on for half a dozen miles. Ahead, Smoke knew, there was still a long way to go, more mountains which must be crossed. But this looked as though the law was hopelessly bewildered as to where they had gone to. Smoke Marlow felt like singing.

Instead, from a little riffle in a tiny stream, he caught trout for breakfast, as a welcome variation to their bill of fare, found some buffalo berries and a handful of drying choke-cherries which still clung to a bush.

"And we'll have grouse for dinner," he added, as they prepared to ride on again.

The drone of a rifle bullet past his head was echoed, a moment later, by the sharp snap of the gun itself. Both were on foot, their horses grazing with dragging reins at some distance.

As they dropped flat on the ground, Smoke saw bitterly that they had stumbled into a trap, that there was no cover here against the unseen sniper,

Baron Terhune

save what they could find by burrowing down in the sand. Also, a six-gun would be of no use against a rifle.

ANOTHER shot ripped by, plowing between the two of them, throwing the sand in a small geyser. Off at the side, their horses raised their heads, snorting a little, moved a few steps farther away.

Smoke saw now where the sniper crouched. He was a long hundred and fifty yards away, twice too far for a six-gun to be effective, and besides that, he had taken cover behind a cluster of boulders which afforded ample shelter.

Under an old, shapeless felt hat was a coppery skin and a thin stubble of whiskers, surmounting a greasy flannel shirt of red and what had originally been white. Again a shot plowed at them, this time perfectly lined for Smoke, but striking ten feet ahead.

"Half-breed," Smoke said between set teeth, as he looked at the coppery skin of the sniper. "From the looks of things, he's alone. Evidently there's a reward out for me."

Which could only mean that the reward was offered for him, dead or alive. The breed, of course, preferred him dead. He'd be worth just as much, and a whole lot easier to handle.

The breed had picked his moment well, when they were away from shelter, on foot. If they tried to run for it, he could pick them off at his leisure. And, poor shot though he might be, he figured to get Smoke Marlow, out here in the open, sooner or later. The sand was a flimsy barricade to a rifle bullet, at best.

Another shot plowed, this time striking in the pile and sending up a little geyser into Smoke's face. That bullet had been well placed, only a trifle low. He was getting the range.

By now, however, they had burrowed deep enough in the sand to make a defective target. But one other thing bothered Smoke. The gunman was taking his time in placing his shots. That could mean only one of two things. Either he was fully confident of a hit, or else he knew that some members of the posse were not far off, that his shots would attract them, bring help.

Somewhere, faint with distance, two shots hammered out. That was it—he was summoning help.

Pat's voice spoke beside him, with a coolness which seemed to take no account of possible defeat.

"If there was only some way to fool him, there might be cover enough to crawl and reach our horses."

Smoke studied the lay of the land.

"Maybe I could get over to the horses," Pat went on. "Then I could circle around and flank him—"

Smoke shook his head. It was too risky.

"We'll try fooling him, first," Smoke suggested. He slipped out of his coat, removed his hat, plucked a few handfuls of two-foot high sagebrush. Another bullet kicked sand at them, but he ignored it, working feverishly, twisting the sagebrush to hold the shoulders of the coat, with the hat sticking above.

Then, cautiously, he began to move it, as though he was trying to crawl toward that distant shelter. Ten feet, fifteen. He lifted it a little, momentarily, ducked it down as a fresh shot slammed. Then the head and shoulders of a man seemed to rise up, convulsively, to twitch and fall sprawling.

"Jump and run," Smoke whispered. "Scream!"

INSTANTLY, Pat was obeying. There was some risk here, but, if the breed believed that Smoke was dead, and this acting on her part should convince him, he would probably try and catch her without resorting to his gun.

And the ruse was working. The breed made no move to use his rifle, and there was a triumphant leer on his face as he covered two feet to every one she ran.

Smoke Marlow waited. The breed, convinced that he was dead, wasn't even looking that way now. His course was taking him within easy revolver shot. Coolly, judging his aim, Smoke squeezed the trigger.

He saw the breed sprawl with a wild yell of pain and terror, the rifle shooting ahead of him. Before he could quite understand what had happened, Smoke had the gun. Then the breed was sitting there, sudden terror mounting in his eyes, blood running from a wound in his thigh. Without a word, Smoke helped himself to the cartridge belt, well stuffed with rifle bullets, and ran to where Pat was bringing up the horses.

Two minutes later they were out of sight. Smoke turned and grinned.

"That was good acting you did, Pat."

She smiled at him, but made no answer. Beneath that smile, Smoke sensed a wistfulness, a sense of tragedy, which he had felt in her from the first. There had been tragedy in her life,

more deeply than in his own. And what was there ahead?

That was a question to which he could find no answer. He knew, now, the answer he'd like to be able to give, but he had nothing to offer her. Less than nothing, with the peril which must always beset his path.

"Looks like we've lost them again," Smoke said absently "With good luck, in another three days, maybe less, we'll be on the Turkey Track Ranch."

"That's on the Range of No Return?"

"Yes. One of the two big outfits in that country. There's the Turkey Track and the Moon on a Bend. The Moon Benders, they're called, I guess."

"I've heard about this Range of No Return," Pat said soberly. "But about all that I know about it is that it's outlaw country, a place beyond the Border."

"It's that," Smoke agreed, "and more. They've been in there for twenty years, controlling that country. It was settled by wanted men in the first place, and more have flocked there. It's fine cattle country, and they do well, I've heard. Also, they receive all comers wanted by the law—but there's one rule that is iron-clad. That's the one that gives it its name."

"What do you mean?"

"Nobody who has entered that range ever leaves it alive. I've only heard of one exception, in the twenty years. He got out, but they sent men after him and killed him anyway."

PAT shivered a little.

"It seems like a hard law," she said after a while.

"It is, but it's served its purpose—kept a united front, and kept the law out. I suppose maybe it's the only way that wanted men could keep a country of their own. Only, I don't like the idea of taking you into such a place to start with."

Her eyes were clear and steady as they lifted to his own.

"There's no other country for me, Smoke. Like you, I've got to be beyond the law. If we can win to such a place, that will be worth a lot, won't it?"

"I guess it will." Smoke choked down the words that rose to his lips. He wanted to add that, if she would continue to ride with him, it didn't matter much where they went, so long as it was together. But it would never do to tell her, for, more than ever now, he was determined that she must never reach that Range of No Return.

That evening, the mountains loomed just ahead of them—the second range which they must cross. And here there was no such pass straight through the hills as had favored them before. These hills had not been much affected by the chinook, and they towered up, snow-blanketed.

Now they would have to go over, instead of through. There was a trail here, the only possible trail at this season. But one thing was in their favor. The search must be all behind them by now.

Darkness was settling, but Smoke kept going. Then, all at once, he turned off to the side, deep in a narrow canyon, choked with trees, following a path which was hardly a trail at all. Pat was startled to smell smoke on the air, to see a gleam of light from a window. Smoke rode boldly up to the door, raised his voice.

In response, the door was thrown open and a man stood there, outlined against the lamp glow behind. He was little and his face was seamed and lined, adorned with a huge, horse-tail mustache which curled to the lower points of his chin.

For a moment he stared, then, with an answering shout, was pumping Smoke's hand and clapping him on the back at the same time.

"Smoke, yuh old son!" he boomed. "Well, blast my buttons!"

He stopped suddenly, peering at Pat.

"I—I—gosh, I didn't know they was a lady with yuh, Smoke," he apologized. "Come on in, both of yuh. Tarnation, don't stand out there. I'll bet yuh're hungry."

"Hungry, Nate," said Smoke, solemnly. "We haven't had a real meal for days."

"Well, yuh're going to have one pretty quick." Nate was already bustling about his stove.

Pat learned, in the next few minutes, that these two had known each other for years. That Nate was a prospector and trapper by choice, though at rare intervals he descended to punching cows for a grubstake, invariably choosing Smoke's ranch when that happened. Now he listened to the tale of murder charges and how they were wanted by the law. His expression grew grave as he listened.

"That's bad, Smoke," he said finally. "Plumb bad. And I sure hate to be a prophet of disaster. Only, now I know who it is they're waitin' for. Once yuh get across the hills here, and start down the other side—where there's only the one trail passable a-tall—the sheriff's waitin' there with a posse."

CHAPTER VI

Posse on the Trail

THIS was unpleasant news. Smoke had come to believe that the worst was over, that the search was all behind them. He hadn't counted on such persistence on the part of Sheriff Bart Creston.

But he understood the persistence in part. Bart Creston, sheriff, and Rufus Creston, judge, were cousins. In their younger years both men had been fast friends. Then had followed a quarrel, the bitterness of which still rankled, enhanced, if anything, by the passage of time.

Somehow, Bart Creston must know that Rufus Creston hoped the fugitives would escape. He could have figured that out, knowing how the judge had loved Pat's mother, how he had intervened in the trial. So, more to spite the judge than anything else, the sheriff was determined that they should not escape him.

"I'd show ye another way across, Smoke," Nate was explaining, his mustaches drooping gloomily. "Only, it's closed already by snow. Couldn't possibly make it. Tell yuh what I will do, though," he added, brightening. "When yuh get ready I'll go along, and kind of engage them hombres in a palaver at the right time—"

"Nope." Smoke shook his head. "I know you, Nate. If you was there, you'd take an active part, and then it'd be jail or the Range of No Return for you. We'll make out to fool them."

An hour later, replete with the first satisfactory meal they had had in days, they turned in for a full night's rest, Pat occupying the lone bunk and Smoke and Nate on the kitchen floor.

The next morning Nate stood to stare wistfully after them as they rode away, well provisioned now for the next few days.

The sky was cloudless, when they set out—the air still and not very cold. There was little prospect of any storm to aid them that night, and the moon would be fairly bright as well, though it would not rise until some three hours after nightfall. It was far from a perfect set-up, but there was nothing to gain by delay, and a heavy storm would trap them entirely.

THE trail led up, gradually climbing, swinging along the slopes of ever higher hills, dipping through long avenues of pines, crossing open slopes. On the trail itself were signs in plenty

of those who had gone ahead.

The snow here was two feet deep, frequently more than that where the wind had whipped it into drifts. Other horses had struggled through, breaking out a trail. And lack of a broken trail before had given Bart Creston proof enough that the fugitives were not across.

"You said something about going to the Turkey Track Ranch, in preference to the Moon on a Bend," Pat commented, breaking a long silence. "Is there any special reason for preferring it?"

"They're all outlaws, wanted men, over on that range," Smoke explained. "I thought of the Turkey Track chiefly because of Baron Terhune. He's an ex-army officer, but he's been called the Baron for years—I suppose because he's ruled as sort of a feudal lord in there for so long."

"It sounds romantic."

"More so than it is, maybe. The Baron heads the Turkey Track, only about a hundred thousand acres. I guess he's a tough customer himself, on occasion, but they say that, within his own code, he's as square as they come. The Moon Benders, on the other hand—well, they're all outlaws, but it's two factions, and all the wilder element head for the Moon."

Pat smiled up at him.

"We both like excitement, Smoke. We'd ought to like that country."

Smoke grinned in turn, but his held no mirth. She was a true-blue sport, one to ride the mountain with, to follow the trail to the end. Which was just the reason why he wasn't going to permit her to enter that country in the first place.

The summit was ahead, now. Here, over a quarter-mile open stretch, the wind swirled constantly, and Smoke stared in dismay at one drift. The posse had broken through there ahead of them, but for a hundred feet it had drifted smoothly across again, deep, forbidding.

That hundred feet took an hour to cross. Breaking the snow with their own feet, wallowing in it, urging the horses along, they finally made it. From there on it was down, gradually dipping toward the valley which stretched away as far as the eye could reach, broken by range on range of gradually lowering foothills. It was easy going here, only, farther down, there was but one trail, and down there the law would be waiting.

Once past what waited below, and they would be in wild country, the very borderland of the range they sought. Past there, however, Smoke planned to swing, not northwest, but toward the south, to find a land where Pat could start over, before he again turned his own steps to the forbidden land.

Night came down, closing around them in a protective curtain. In the gloom it was possible to see for only a few paces. The narrows of the trail was close ahead.

Now they were in a deep, narrow canyon, the widest place not more than a hundred feet, the narrowest shrinking to half that. There would be men scattered along the length of this. For a moment, as they rode, Pat's hand came across, her fingers found Smoke's and closed on them.

SUDDENLY and silently a horseman loomed beside them. But he was not quite ready, while Smoke was tensed for action. The faint light caught Smoke's gun barrel, visible to the other man's eyes as Smoke pressed his horse alongside. The big cowboy's voice was soft but convincing.

"Not a sound out of you, or it'll be yore last."

There was a startled gasp, broken short off, but Smoke had recognized Bart Creston as the sheriff slowly raised his hands.

"So yuh're here, Smoke?"

"I'm here," Smoke Marlow agreed,

one hand reaching for the sheriff's gun. "This is right convenient, meeting you at the start, Sheriff. We're going through here, and yuh're riding with us. See to it that we get through safe. Any tricks will cost you yore life."

Something of the old hatred had boiled up in Smoke at sight of this man, waiting here to take him back to death —doing the whole thing, not so much from a sense of duty, as because of an old spite.

They were riding on then, the three of them—a shadowy file in the gloom, silent, but with Smoke's gun bearing unwaveringly on the man beside him. Bart Creston was known to be a man with plenty of courage, but even the bravest man moves discreetly when one has the drop on him.

Somewhere in the gloom was the faint, gusty sigh of a horse, the tiny flare of a match cupped in hands, then the pinpoint glow of a cigarette, falling behind them. They were past that guard and he none the wiser. But ahead were more guards, a little group of them, already stiffening to attention. Smoke's gun prodded the sheriff in the ribs, and Creston spoke in a low, cautious tone.

"Spread out, boys, and patrol up. Tom and Ed and me are going to have a look on down. Don't stick together."

They were past, then, the others unsuspicious. Not far ahead was a thin lifting of the canyon's gloom. Another hundred yards, and they would be through.

And in that moment, with another guard or so still ahead, Bart Creston took a chance. Spurring suddenly, the sheriff's voice rose in a roar of warning.

There was nothing to do now but ride for it. Smoke could still mow the sheriff down where he rode, emptying his gun into him, and a week before he might have done it. With Pat riding beside him, he knew that it was not only out of the question, it would be foolish as well, since the warning was given already. Moreover, Bart Creston was only doing his duty.

There was another reason which held Smoke's hand. Smoke was heading for the Range of No Return—outlaw country, where he must be an outlaw actually as well as in name, if he was to long survive. Yet, for all that, he felt himself and the sheriff still to be on the same side, honest men both who believed in law and order.

From behind came more shouts, startled, the pound of hoofs turning in pursuit. Then the sheriff's sensitive, high-strung horse bucked and plunged suddenly, and Creston, taken by surprise, was flung almost out of the saddle.

Almost, not quite. One of Creston's feet was caught in the stirrup, and Smoke Marlow saw his plight. Helpless, it would take only a few swift jumps of the horse to pound him to death under those flailing hoofs. For a moment, Smoke played with the idea of certain escape, then he rejected it.

INSTANTLY, Smoke Marlow was spurring alongside, his hand darting out to clutch the bridle-reins of the terror-stricken cayuse. And then he saw that it was not going to be so simple as that.

Here was a sharp slope at the side of the trail, a drop of not more than ten feet. But a line of trees grew on the other side, narrowing the trail so that there was hardly more than room for one horse. Another path led on the other side of the trees, but here there was danger of his own horse being forced over and down, which would probably mean a broken leg or worse.

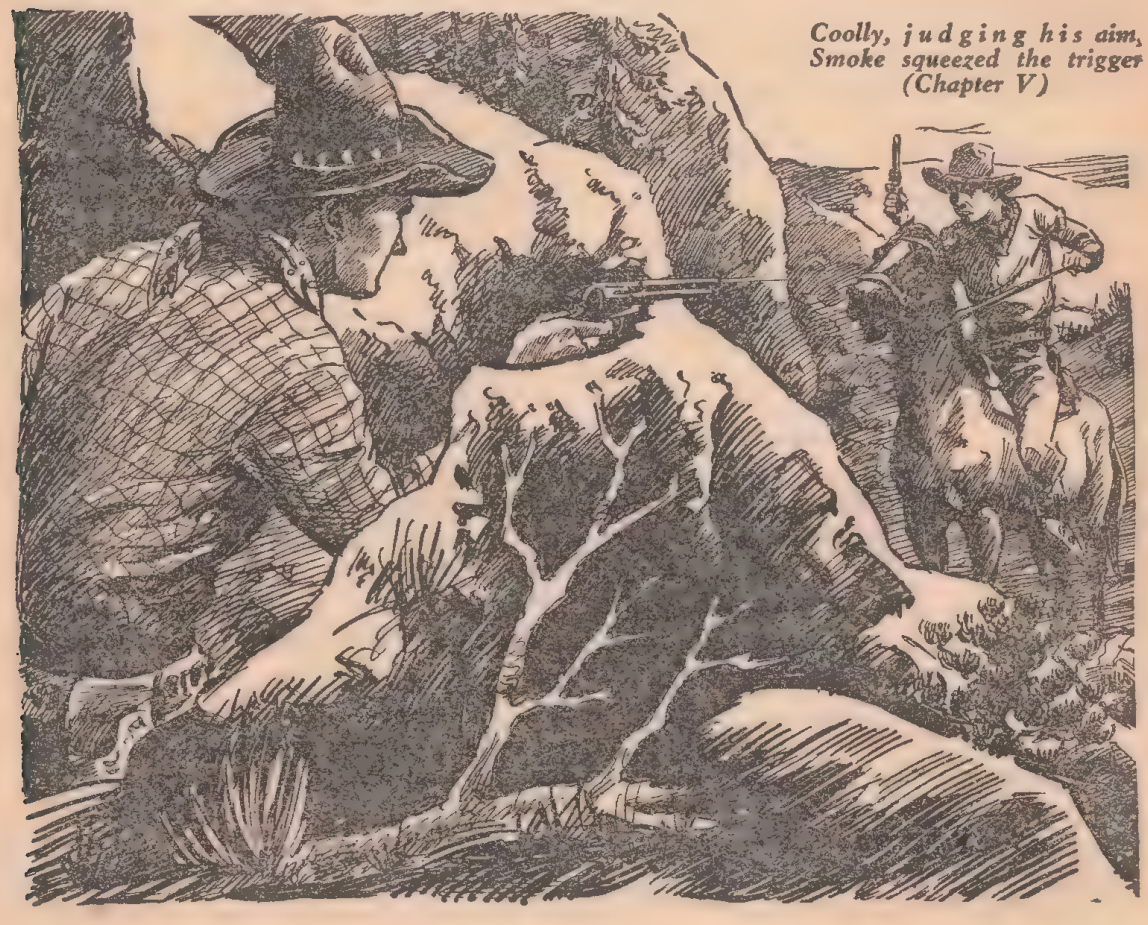
Smoke's hand found the bridle-rein, close up to the bit, his other hand brought his own horse to a stop. Under the heave of the six feet three of him, Creston's horse stopped in his tracks. A moment later, Smoke was on the ground, untangling the sheriff, helping

him back to his feet. The slippery brink dropped sheer away from their boot-heels.

Bart Creston stood for a moment, a little shakily. He had looked on death in those fleeting moments and found it grim and unfriendly. He looked back on the trail. The rest of the posse was coming up fast.

a cayuse shied at a rabbit and you went out the saddle, with yore foot caught in the stirrup. For a second there I thought I was a goner, till it came loose."

They were gathered around him now, able to see how he had fared, exclaiming, his ready explanation convincing them. His bruised face was



Coolly, judging his aim, Smoke squeezed the trigger (Chapter V)

"Go on," he hissed at Smoke. "Travel!"

Bart Creston was swaying on his feet, his face bruised and a trickle of blood down one cheek, but he was all right, and in the harsh urgency of his words Smoke knew a common bond of understanding. A moment later he was alongside Pat again, and Creston's voice rose loudly behind.

"Right here, boys. Why, what's the trouble? Oh, my yell? Shore, I yelled. Reckon you would, too, if yore fool of

ample proof of the accident.

Smoke sighed in the deep gloom ahead. The Crestons might be hard men, but they were square shooters, each in his own way, and they paid their debts. For Pat and himself, they were ahead of the law, now, with nothing more to fear from that source, not if they kept going.

For half an hour they rode in silence, then, as the moon began to cast a glow over the eastern rim of the hills, Pat turned to him, and there was a glow

in her eyes not of the moon.

"You tried awfully hard to deceive me at first, didn't you, Smoke?"

"Deceive you?" Smoke was startled, for it was almost as though she had read his thoughts, his plan to swing south.

"You pretended to be so harsh and hateful. But the way you saved Bart Creston, back there, and a lot of other things— You can't fool me any longer, Mr. Smoke Marlow."

Smoke grinned a little in relief.

"When it comes to passin' compliments out, the things I could say about you would be a lot more truthful and all."

"I haven't done anything, Smoke, nothing at all. Even getting you out of jail was more of a selfish motive than anything else."

"Selfish? If there's anything of that sort about you, I've yet to see it, Pat."

"It was," she said. "I told you, there in jail, that I had only two friends. Judge Creston was one of them—and you were the other. I couldn't afford to lose a friend like you, could I? So you see it was selfish, after all."

"If that's selfishness, it's a pity there's not a lot more of it in this world."

"And now"—she smiled at him, her face wistful under the moon—"now we're going to a new life, Smoke, together. You can't imagine what it means to me."

"You poor kid! You must have had a tough time."

"It was—lately. After Nick Weber came along. I'm glad you killed him, Smoke."

INWARDLY, Smoke was startled. He'd almost forgotten that, to save this girl, whom he had never set eyes on then, and of whom he had known absolutely nothing, he had confessed to killing the man who was her husband.

"He needed killing."

"Yes. You didn't know anything about me—at the time?"

"I'd never heard of you," Smoke asserted truthfully. Impulsively he turned to her.

"I didn't even hear any of your story, back in town."

Pat was silent a long moment. Then she spoke softly.

"I didn't think that I'd ever want to speak of it again to a single soul. But to you, Smoke—well, that's different."

The story came haltingly from her lips. She told of her living in a two-story log cabin, far back in the mighty foothills. She was an orphan and she lived with her stepbrother and stepsister, Harley and Joan Davids.

Smoke knew that territory. He had been through it, and he could picture Pat in such a country.

To the cabin there had come but few visitors. But the most persistent had been Nick Weber. Weber had been raised on the frontiers, and had battled his way up from roustabout in a logging camp to boss, and finally, through sheer brute force, to a position of affluence, to being known as a lumber king.

Nick Weber's wealth, as he had approached middle age, was rated in millions. He was a two-fisted man, whose idea of pleasure was to knock another man down and then jump on him with both feet. That was the man who came to the cabin of the Davids, and who, seeing Pat Brent, wanted her.

Smoke was sweating as he listened. Once he had seen Nick Weber, and remembering him, thinking of him in connection with Pat, it was like a toad aspiring to a butterfly.

Pat went on to tell how she would have nothing to do with Nick Weber. But Harley Davids, her worthless stepbrother, who was in love with her but who apparently would do anything for money, had arranged it for Nick Weber, choosing a time when Joan Davids was away. He brought a roving preacher to the cabin with him who performed a marriage ceremony.

There, trapped, helpless, drugged almost to insensibility, she was forced to go through this mockery of a ceremony, and, whether she would or no, was pronounced the wife of Nick Weber.

Smoke's breath came faster, his fingers knotted around the reins of his horse.

After it was over Nick Weber and Harley Davids had left to celebrate with a bottle of whiskey. In the meanwhile she had made a rope of the bedclothes and escaped from the window, into the storm.

It was not until ten days later when, her shoes worn through, her clothing in rags, she was found by a member of the posse of whom, unknowingly, she had asked help.

SMOKE knew the story from there on. Weber, out on the hunt, had disappeared as well, on the second day. The next day, he had been found by a couple of searchers in a little, remote trapper's cabin, untenanted for years, dead. The only evidence found was a small revolver, which had long been Pat's property. The prosecution had claimed that Weber had found her there, and that she had shot him dead.

"I wish I had had a chance to kill the polecat!" Smoke muttered, between clenched teeth.

Pat was staring at him, startled.

"You wish you had? Then you *didn't* kill him, Smoke?"

Smoke came back to the present, grinned wryly.

"Guess I kind of forgot. No, I didn't kill him. And that means you didn't, either."

"No." She was still staring at him, her eyes wide and incredulous. "But why—why did you ever make such a confession, Smoke, if you were innocent? Did you do it to—to—"

"Not to save you, no." Smoke shook his head. "I didn't know you then, Pat, remember. I did it to save my brother." He recounted in turn the black evidence against himself and his crippled brother, and Rufus Creston's proposition to him, his acceptance of it.

"So Judge Creston did that for me? And you—you were caught between the devil and the deep sea, weren't you? I'm awfully sorry, Smoke."

"I'm not. I took the jump—and look what I found in the sea."

"Just the same, it was an awful choice to put up to you. And it leaves you with your name blackened, wanted by the law, for something which you never did."

"I'm not kicking about that, any more. And let's forget me and talk about yoreself. This stepbrother and sister of yores—were they mean to you?"

She shook her head.

"Not mean. That is until Nick Weber came along, they were pretty good to me. But when Nick Weber offered Harley money to—to sell me, he and Joan agreed. Joan wanted Weber for herself, but he wouldn't even look at her. So they were willing to take his money, if they couldn't get anything else."

"A nice pair."

"Yes." Pat shivered a little. "I'd like to forget them."

"What became of them?"

"I don't know. When they tried to find them for witnesses, after my arrest, the cabin was deserted, and they had disappeared. So you see, Smoke, why I—what I meant when I said that you were my only friend—aside from Judge Creston?"

"I see." Smoke was staring gloomily at the trail ahead. More than ever it was impossible to take her to the Range of No Return. She must have a chance for life, for freedom, for happiness. Yet now, more than ever, knowing her innocent of that black crime, he wanted her.

Bart Creston had told the members of the posse that a jumping rabbit had frightened his horse. Now, as though

in mockery of the tale, a rabbit leaped from beneath a bush, almost under the feet of Smoke's cayuse.

Such a thing had happened to him more than once before, but it had never bothered the big cowboy. Now, riding bare-back, he found himself in the air before he knew what was happening. The ground was rising up at him, then it seemed to explode as he struck it, and the darkness came down thicker, engulfing him completely.

CHAPTER VII

Visitors

WHEN Smoke Marlow opened his eyes, it was daylight, and, judging from the sun slanting in at a window, a long way past. Moreover, he was in a bunk in what had the look of a typical bunkhouse, and he was alone in the building. Other bunks showed disarranged bedding, a hat hung on a nail on the wall, a shirt and chaps were draped carelessly across the back of a chair. His own clothes were on another chair close at hand.

Frowning in perplexity, Smoke sat up, finding himself dizzy. The last thing he remembered was plunging over his horse's head. After a minute he managed to get up and into his clothes. As he was finishing, the door opened suddenly and Pat stood framed in it.

Smoke caught his breath at sight of her. She was fresh and eager, more beautiful than ever, and she advanced swiftly, hands outstretched.

"Smoke! How are you?"

"Me? I guess I'm all right. I must have been kinda worthless for a spell, though, judgin' by waking up here. Where are we?"

"When you were knocked senseless your horse bolted," she explained. "You've been unconscious ever since, though you must have just drifted from that into sleep. We're in one of the bunkhouses on the Turkey Track."

"The Turkey Track?" Smoke repeated the name with a sense of disaster. "Yuh mean—"

Pat nodded.

"We're beyond the law now, Smoke. We were close to the border-line last night. I caught your horse again, and tried to do something, but you were so still, and white, I was terribly frightened, and I guess I was crying some. And then an old man came along with a team of horses and a buckboard, and wanted to know what the trouble was. Somehow I was sure he could be trusted, so I told him. He belongs here, so we loaded you in the wagon and brought you here."

"How far was it?"

"About ten miles."

"It was Baron Terhune that found us?"

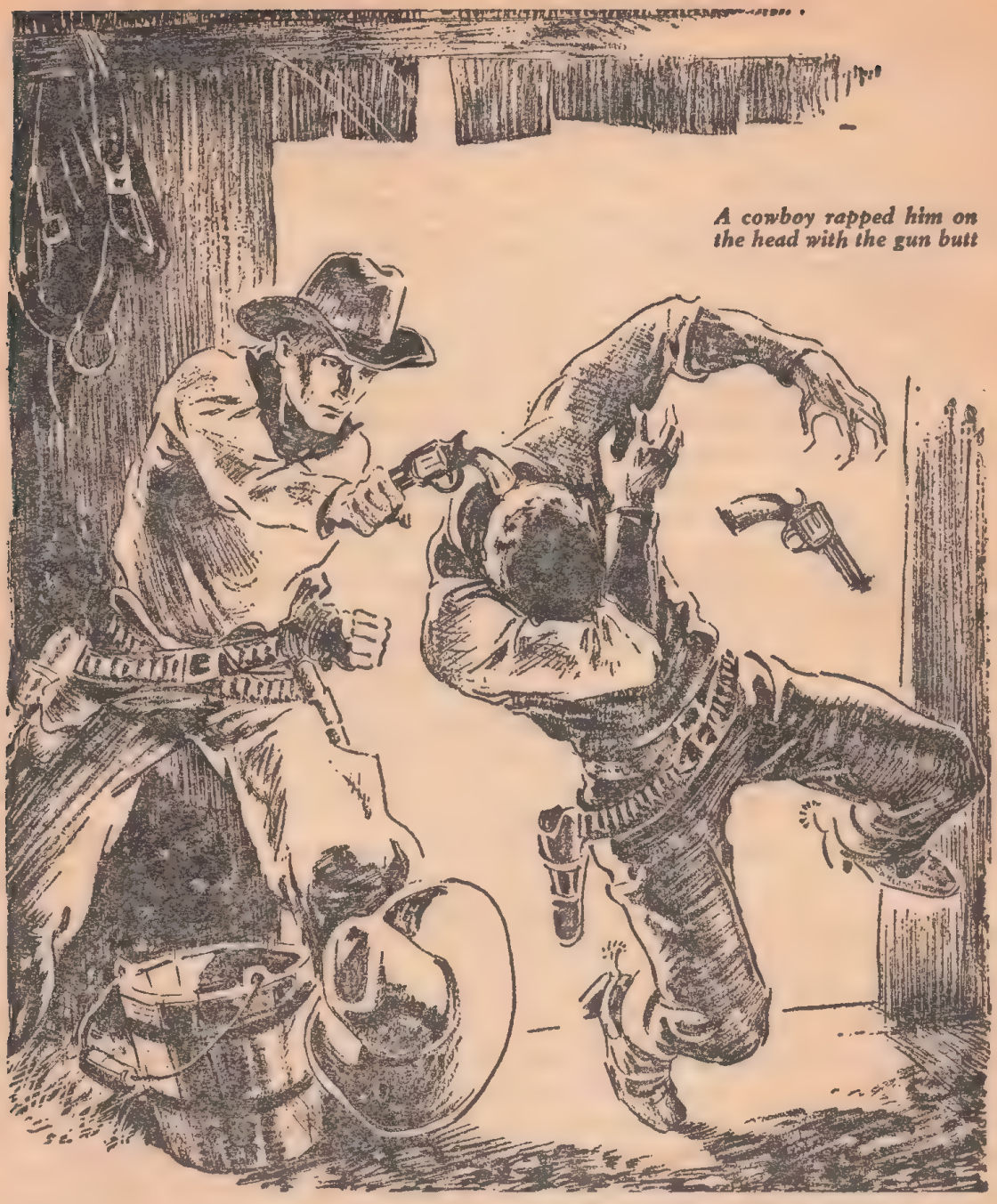
"Oh, no. Jimmy Crofts helped me. Here he comes now."

Smoke turned, to see a little, bow-legged man hobbling toward them, one leg stiff from an old break, so that he walked with a swinging lurch. He was totally bald, save for a fringe of silvery hair around the edges, and he had the mild, benign look of a preacher. Though the effect was slightly spoiled by the heavy revolver slung at his side, with a bowie-knife opposite it.

Crofts paused, head cocked slantwise like a bird's, his eyes as bright and quick. Then he stuck out a hand.

"Yuh're lookin' chipper this mornin', Smoke. Pays to be a hard-headed cuss now an' then, don't it?"

Smoke gripped the outstretched hand, feeling an instinctive liking for the little man. He was one of those beyond the pale of the law, but, for that



A cowboy rapped him on the head with the gun butt

matter, so was Smoke.

"I seem to be all right, thanks to you, Jimmy."

"Thanks to Miss Pat rather. Well, mebbe yuh could stand a bite to eat, eh? I got some vittles smokin' hot. Come on now, the two of yuh."

He led the way across to the cook shack, donned an apron with a professional flourish, and served up a meal to the two of them. Smoke was looking about appraisingly. This was the Turkey Track, the headquarters ranch. Two big barns and a series of log corrals drowsed in the sun, with other buildings all a part of the plan.

There was a big log house, two stories high, wide and spreading. The grounds about it were well kept. There were two bunkhouses. The whole was pleasantly situated in a little valley, with a long, gradually sloping hill to

the north, a still gentler spread in the opposite direction, leading away to a mighty, timbered butte which rose to dominate the whole landscape.

BREAKFAST over, Pat and Smoke crossed to the big house. The door opened as they approached, and a man stood framed in it. Smoke knew at a glance that this was the Baron.

Terhune was not a big man. He stood a couple of inches under six feet, slender but well muscled, iron-gray hair framing a head of more than ordinary size, with a military mustache and carriage, his dark eyes penetrating, unreadable. But his own hand was outstretched, his clasp hearty.

"Come in, Smoke, and welcome to the Turkey Track. You come with us, of course, my dear. I've no doubt you are as much interested in this conference as any of us."

He led them to a large office, the walls lined with books and trophies of the hunt. Waving them to seats, he produced a box of cigars, lit one himself and settled back comfortably.

"I guess there's no need to delve into history, Smoke," he said abruptly. "We know what you and Miss Patricia have had to fight. You naturally didn't head for this range because you wanted to—few of us did to begin with, I guess.

"In here, at least, we live as free men, and we try to go on the motto of live and let live, and to abide by the ordinary decencies of life as much as on the other side of the law. At least, that's always been the rule, and it still holds, here on the Turkey Track. That is why we've been let alone by the law. In addition to knowing that it would be a tough job to try and come in here after us, they figured this was just as good a prison as any, so long as we stayed in it and minded our own business."

Terhune smoked in silence a moment, thoughtfully.

"That's the way it was," he went on. "We had plenty of the finest land that ever lay outdoors, a chance to make a good living raising cattle and doing it honestly. We've prospered by following that rule. That is, till lately. We still would, if the rule was still followed."

"You mean—"

"You've a right to know that there's trouble brewing here—plenty of it. On the whole range, that is. Here on the Turkey Track, we still aim to abide by the rules."

"But some of the others want to kick over the traces?"

"To put it mildly, yes. The Moon Benders have a different idea of the way things should be run." The Baron gazed reflectively out of the window a moment.

"When I came to this country, I was what might be termed a pioneer, one of the first settlers. I had hopes of settling in new country and having the past forgotten as the land settled up. But about that time an old acquaintance of mine settled the Moon on a Bend—Captain Jabez Trask.

"To keep the record straight, I'll mention that we had both been cashiered out of the army—myself for cowardice and incompetence, and a civil charge which had to do with robbery. Trask was kicked out for being drunk on duty and conduct unbecoming a gentleman. Both of us faced prison sentences."

There was no hint, in the iron grayness of Terhune's face, as to the possible truth of those old charges, and he made no effort to explain or deny them. Though it seemed incredible to Smoke that cowardice or incompetence could have been valid reasons with the man who sat before him.

"Trask was always wild and reckless," the Baron went on. "So it was only natural that he should drift to this range, and others follow him. It became necessary, for our own protection, to have some rules. And while Trask

always kept a wild crowd about him, the rules were enforced until his death a few months ago."

"I hadn't heard of that."

BARON TERHUNE continued his story:

"News from outside comes to us, but not much goes out. Trask's nephew, Felix Trask, who was likewise forced to terminate an army career a year or so back, is in command there now. He's a man utterly devoid of principle, and he has two ambitions—to be king of this whole range, and to be a robber baron, instead of a ranchman. The result is we clash."

"I can understand that."

"It hasn't quite come to open war, yet, between the two outfits. But there have been skirmishes, a few isolated killings, and trouble is due to break any day. That is aggravated by the fact that Trask and his followers have been violating our ancient rule, and going in for cattle stealing across our borderline, as well as other depredations."

Smoke frowned.

"There's certain to be the devil to pay, before we're finished," Terhune continued. "I'm sorry that you folks have to run into this kind of a mess, but I thought it only fair to tell you exactly how things shape up."

"We take things as we find them," Pat said.

The Baron smiled at her.

"I'm sure of that. Well, you're here, and of course there's no going back. I won't insult you by offering you the old choice of coming to the Turkey Track or going to the Moon on a Bend. We do have two choices, however. We've always hired as many men as cared to work for the ranch, directly, at the usual wages, and a share of the profits at the end of the year. Most of them work on that basis.

"For those who prefer, they can have a plot of ground, build a house, and live there, doing whatever they please, so long as they don't bother others. Work or loaf, prospect, trap—anything like that. You can have your choice, of course. That comprises the only fairly neutral ground, and it might be safer when trouble does break."

"I'm a pretty good cowhand," Smoke said. "I'd rather punch cows for the outfit, Baron."

Terhune nodded.

"I figured you would. And you, Miss Patricia, for the present, I would suggest that you live here, in the big house. My daughter will be happy to have a companion of near her own age, and you will be very welcome. Once troubled conditions clear up, other plans can be discussed."

With that agreed on, Terhune turned back to Smoke.

"There's plenty of men can punch cows, Smoke. Some other jobs, not everybody can do. I know something of your reputation, and there's one job I'd like to have you take. It'll be more dangerous work than trailing cows, though."

A thin smile lightened the Baron's face.

"I don't know whether you've noticed it or not, Smoke, but our water for the buildings here, all comes down in a pipe line from Cayuse Mountain, off there to the south, in a big flume. It comes from several giant springs, running in an overhead flume for half a mile or so down the mountain, then is boxed in along the surface of the ground for the rest of the way. We built the flume in the first place due to a little argument. Right now, as you can see, the control of that water, in case of trouble, may be vitally important."

Smoke Marlow could see that. In case of open war on the range, if the Turkey Track should be holed up at their buildings, and their water supply tampered with, the Moon Benders would have things pretty much their

own way.

"I want you to watch that water," Terhune added grimly.

A CABIN stood near the springs, where Smoke Marlow and a couple of other men had decided to stand guard. It was their sole business to keep a sharp eye on the water, and, if necessary, to signal the ranch buildings below in the event of trouble.

One thing Smoke noticed with interest. The storms which they had encountered before had struck lightly, if at all, down here. Even on Cayuse there was no snow.

On his second day on Cayuse, Pat rode up for a call. She was enthusiastic about the cabin and the big springs so close at hand.

"This is a beautiful spot, Smoke," she exclaimed. "Up here among the evergreens, where you can see the whole world, spread out below."

This was the girl of the open trail, but more than that. She was the Pat who had come to his cell that day, poised, fresh and eager for whatever might lie ahead. The weariness of the trip had been left behind, and all the soft allure of her was manifest now.

"It is pretty nice," Smoke agreed. "Especially since you got here."

"Oh, Smoke!" She turned to him, and at the light in her eyes, his arms reached out, suddenly, hungrily. He hadn't intended it that way at all. It wasn't fair to her, and he tried to tell her so.

"It's taken you so long," she said. "I'd a lot rather be here, with you, than somewhere outside, without you. Oh, I knew that you intended to leave me out there, somewhere, Smoke, thinking I'd be happier—but I didn't intend to let you."

"If only we could have met before all this trouble," Smoke groaned. "But knowing that you like me, I'm going to be happier than I ever dreamed I could be."

"Happiness doesn't consist in things around one," Pat said, with the wisdom of the ages speaking from her lips. "It all lies in the heart, Smoke."

It was mid-afternoon when she started back down the trail. Smoke accompanied her part way down the mountain, then turned back to keep a watchful eye on the springs.

Sunlight filtered down through the avenues of pines, dappling the ground below. A little glade stretched invitingly, a fallen log for a seat. Allowing her horse to graze as it wished, Pat sat there, dreamy-eyed with happiness. There might be trouble ahead for this range, but they had come through trouble, and the future was bright with promise.

She looked up suddenly as a step sounded, starting eagerly to her feet, believing for an instant that Smoke had returned. Then she started back, paling, shrinking against the bole of a tall pine at sight of the man who stood there, his bold eyes eager on her flushed beauty.

"Well, well, if it isn't Pat!" he whistled, in mock surprise. "The beautiful, adorable Pat. Here's luck, any way you take it. Welcome to the Range of No Return, Pat."

"Harley!" she gasped, still staring incredulously.

"None other." Her stepbrother seemed very sure of himself and the situation. Harley Davids was not a big man, being medium in build, with finely chiseled features and a ready, almost too ready, smile. His hair was reddish, but it had a trick of curling, and the man was undeniably handsome. The only marring quality to his face was a rather weak, petulant mouth, but that defect was partly hidden by a carefully-trimmed mustache.

"You don't seem to be very glad to see me, Pat," he complained. "And you know how I've always loved you. Haven't you any better welcome for your stepbrother?"

"Welcome? You know I despise you, Harley Davids!" she flung at him passionately.

A FAINT wave of color testified that Harley was not without sensibilities. But he still managed to retain his smile, a hurt, misunderstood look creeping into his eyes.

"You don't mean that, Pat," he protested. "You ought to know that I never intended for you to marry Nick Weber. I—"

"But you sold me to him for five thousand dollars and a few bottles of whiskey!"

"I was mad with jealousy, Pat. I loved you. I wanted to take you away from there, if you'd go with me, and I knew we'd need the money. I loved you so much that I was willing to do anything to get you. I thought, when you were faced with such a choice, that you might turn to me—"

"But when I refused, you went through with your bargain!"

"I still thought that yuh'd change yore mind, up to the last minute. And then Weber was there, with a lot of his timber beasts within call—"

"Oh, you don't need to try and explain," Pat said wearily. "I know what happened. And now, I wish you'd go. I never want to see you again!"

"But I want to see you—and fate seems to have been kind in bringing us to the same place. You always used to get awfully mad at me, when we were kids together, but yuh always got over it."

He seated himself on the fallen log, stretching his long legs before him. He was dressed, today, in cowboy garb—a big Stetson, blue shirt and jacket, bandanna about his neck, Angora chaps and boots. It was the first time she had ever seen him so attired, even to the cartridge belt and holstered gun, but he was undeniably handsome in it.

"So you ran for this country as soon as the law got interested in finding you." Her tone was one of disgust.

"It was the only thing to do," he protested. "My testimony would have been more harmful to yore case than anything else. Telling how you hated Nick Weber, and all. I figured that if I kept out of the way, the case would fall to pieces. So I came here, to the Moon on a Bend—"

"Oh, you're with that outfit?"

"They're a good outfit, Pat. Why shouldn't I be there? What's the difference? Every one in this country is beyond the law, and they all look the same in the eyes of the law. And that's another reason why I want to help you, if yuh'll only let me. There's going to be trouble on this range, as yuh've probably heard."

"I've heard there was."

"Trask has sworn that pretty soon there'll be no Turkey Track left. When I heard that you were in this country, my first thought was to get you over to the Moon, where yuh'll be safe. That's why I'm here now. Come with me, and there'll be nothing to worry about."

"Do you think I'd go with you, Harley? You'd better be going yourself—before someone from the Turkey Track happens along and finds you here. Moon Benders aren't very popular on this range right now."

HARLEY'S eyes narrowed. In such moments as this, they went faintly greenish, with almost a yellowish tinge as well—the eyes of a hunting cat.

"By someone, I suppose yuh mean this Smoke Marlow that you've been traveling with, eh?"

"If he finds you here, you can imagine what would happen to you, Harley."

Jealousy flared high in Harley's eyes.

"So you really like him, eh? The gallant hero who came forward to shoulder yore crime?"

"Will you please go?" Pat's voice was a little weary. "Because Smoke will probably be coming to see why I haven't showed up in the open, down below."

"I don't think we need to worry about Smoke interrupting," Harley said smiling thinly. "Not for some little time, at least. For Joan was out for a ride, too—up the mountain. No doubt they'll have a lot to say to each other."

CHAPTER VIII

The Moon on a Bend

"HELLO, handsome!" Smoke looked up, a little startled at the address. Riding back toward the cabin, still lost in day-dreams and the vivid memory of Pat's lips against his own, sweet and tremulous, it was rather a jerk, rounding the trail, to see another girl waiting there, sitting lazily in the saddle, mounted on a sleek sorrel and watching him from beneath drooping lids. Also, despite his memory of Pat, it struck him forcefully that there could be no slightest question of her beauty.

Where Harley Davids' hair was inclined to be red, Joan's was a rich gold, and just as wavy. The features which made him handsome were richly softened in her face, and there was nothing of weakness about the mouth, though her full, red lips were inclined to pout a little, the gray eyes to sulkiness. Just now, however, there was a provocative smile on her face. Joan knew who Smoke Marlow was, and the slight widening of her eyes testified that she approved of him.

Smoke swept off his hat, coloring a little. He hadn't expected to encounter any girl on this trail, certainly no such a girl as now was before him.

"Since my horse is only a dumb critter, ma'am, I'll have to answer for him," he retorted. "But I'm shore he enjoys the compliment."

Joan surveyed him approvingly. Deliberately, gracefully, she swung to the ground, moved to a fallen log beside the trail, where the sun struck warmly, sat down, and patted it beside her invitingly.

"You're in no hurry," she asserted. "Neither am I. And I'm sure we're going to profit by each other's acquaintance, Smoke. Sit down a while."

Smoke hesitated, but there seemed no good reason for refusing. And somewhere in his mind a small alarm bell was ringing. This girl knew his name, was very sure of herself. He had no doubt that she had contrived this meeting deliberately. It would be as well to find out what this was all about, to learn her game. He was quite sure that more was involved than merely to get acquainted with him. He swung down, allowing his horse to wander as it pleased, accepted a seat on the log.

"I'm afraid you've got the advantage of me," he protested. "But you'll have a name?"

"Of course," she agreed. "Nearly everyone does, even in this country. You can call me Joan."

"That's a right pretty name, Miss Joan." Smoke's mind leaped back to Pat. It wasn't likely, and yet—

"Not Joan Davids?"

She flung him a quick glance, half-startled, half-appraising.

"That's it," she answered. "How ever did you guess?"

Smoke surveyed her leisurely. She met his gaze steadily, only a touch of added color flowing in her cheeks, her eyes a little wistful.

"Are you going to hate me now, Smoke?" she asked.

Smoke shook his head.

"A while back, I was pretty good at

hating," he confessed. "Jest lately, though, I've kinda got over that."

"I was hoping you'd be like that, generous and fair," Joan sighed. "Right now, I'd like to be friends, and to help you and Pat, if I can."

Smoke was non-committal.

"Yes?"

"There's going to be a bloody war on this range, and soon. Living over on the Moon on a Bend, I know that. However, their old quarrels don't concern us."

SMOKE was wary. But for the next half-hour, Joan exerted herself to be pleasantly entertaining, and he had to confess to himself that she could be charming. Finally, with a gay little wave of the hand, she rode lightly away.

He returned to the cabin, more disturbed than he cared to confess. As soon as Joan had given her name, his mind had leaped to the possibility that, sought by the law, the Davids, brother and sister, had likewise headed for this Range of No Return. Before that, however, the possibility that they might be here had never crossed his mind.

Smoke Marlow could not forget that Pat had told him that the two of them had worked together to sell her to Nick Weber. Also that Harley Davids had wanted her for himself. Which was proof enough that they were of poor stock and untrustworthy. Their presence here, especially with trouble brewing and them staying at the Moon, might complicate things.

In the next couple of days, during each of which Joan again contrived to meet him somewhere, always with seeming unexpectedness, Smoke discovered that Joan and Harley were not actually working for the Moon. They had followed the custom allowed to those who preferred it, of settling by themselves in a cabin and doing as they pleased. Smoke guessed that this pair

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would follow their old custom of looking out for their own interests first.

"You don't act as if you trusted me, Smoke," Joan argued one day.

"Do you think I've any good reason to trust you?" Smoke demanded bluntly. He liked Joan. He was forced to confess that to himself. But trusting her was quite another thing, and, with possible menace to Pat ever lurking in the background of his mind, he was not in a mood for temporizing.

Joan eyed him steadily a moment. There was something in her eyes that he could not quite fathom.

"I guess you're right," she agreed. "But if I was to prove to you that I mean it, that I want to help, would that make any difference?"

"Naturally."

Her face lighted. There was in it something of the eager wistfulness of a child's.

"That's a promise, Smoke. Well, I'm warning you: watch the springs closely this afternoon and tonight. You'd better go and have a look now—and please, Smoke, be careful!"

With that warning ringing in his ears, he rode away. The weather was still good, a continuation of the Indian summer which seemed to have taken a long lease after that first threat of winter.

Silence held the trails, even the usual sighing of mountain-top breezes through the pines being hushed. Then, as he approached the springs, something caught his eye.

There had been no sound, but one of the men, whose watch it was at this hour, lay sprawled there in a pool of blood.

Smoke jumped down, repugnance shaking him as he saw the manner of this man's death, the reason why there had been no betraying sound.

He had been seated on a log, his back to a big tree, half-dozing, and he had probably never even suspected that peril was near until death had struck him from behind—the blow of a hard-driven knife. He had been dead only a matter of minutes, at most. The springs were just beyond.

HAND on gun, Smoke Marlow pushed on. Then he saw the intruders. There were three of them, strangers to him, but their horses stood not far off, and the brand of the Moon was plain on their right shoulders.

Something had warned them. Now they were swinging around, grabbing for guns. Smoke, his own gun out, was the faster. The first man dropped his gun, snarling, clutching at his wrist. Seeing him disarmed, his hand spouting red the others turned, raced for their horses, then the three of them were in the saddle and spurring, flinging back shots from the shelter of the brushy screen as they fled.

Smoke pursued, and he might have caught them, but they had been too anxious to run, from one man. As though they were anxious to draw him away from the spot. Which must mean that they had already accomplished some damage which, if left alone for a while, would get worse of its own accord. He intended to have a look.

Smoke was alone, his other helper having ridden down to the ranch buildings. Nothing seemed to have been disturbed as he came closer. He might have interrupted the trio before they got well started. But in that case, they had withdrawn too easily. He couldn't figure three of them as cowards. One, possibly, or two, but three together was a little beyond belief.

His horse stuck its nose down, drank thirstily. Smoke dismounted, stared at the bubbling springs, picked up a tin tomato can placed there for that purpose, and started to drink.

He frowned at the can, threw it out, scooped up a fresh drink and tasted it. This too, was somehow bitter and brackish. His horse raised its head

with a quivering sigh, eyes rolling, showing the whites, seemed to be shaking a little.

Suddenly, almost frantically, Smoke was jerking it back, away from the water. He glanced around the spring. Deep down now, he saw that which confirmed his fears—a brown gunny sack, sunk in the bottom of the spring, where the current bubbled up.

A warning pain gave him a twinge. He had drank only a swallow or so, but he had had too much. Now he understood the brackish taste of the water. Poison!

Probably there were similar sacks in the other springs up here, and already the water was being well permeated by the stuff, the flume carrying it to the ranch would be full of poisoned water.

There was no time to get those sunken sacks of death out of the several pools. Deep down in turbulent waters, it would take special equipment and at least an hour or so to accomplish anything. Meanwhile, the deadly current would be flowing steadily down to the buildings, and used for the evening meal which would soon be ready. If he waited, practically everyone on the Turkey Track would be poisoned before they were aware that anything was wrong. And Pat was down there!

Smoke's nostrils distended, as another twinge of pain shot through him. The Turkey Track had expected trouble, had been prepared for it, had counted on an attempt being made to wreck the flume and leave the ranch waterless. But none of them had suspected that the Benders would descend to such a murderous trick as poison. That meant that the worst element was in full control over there now.

TRASK had made his boasts, during the last few days, that for all the Turkey Track this should truly be a Range of No Return. If they were to die, he figured that striking by treachery was swifter, less dangerous.

Smoke had to get down there as fast as a horse could make it, but his own cayuse was trembling, now, its eyes glassy. It had drunk deeply, and now nothing on earth could save it. Smoke watched it a moment, his eyes smouldering, then he stripped the saddle off, and ended its misery with a swift bullet. Before the echoes of the shot had died away he was running to where another horse waited in a little corral.

In the saddle again, Smoke started down the hill at a gallop. It was only five miles, but that was too far in his present condition.

The sun seemed hazy overhead, swimming in a wild circle in the sky. The tall pines seemed to sway and bend as though stirred in a strong gale, though there was no air against his feverish face. Beaded with sweat, tormented, Smoke clenched his jaw and rode on.

Baron Terhune had been prepared for almost any sort of trouble, except that which had come. They had had signals arranged, if help was needed. He could signal now, but the signal would not tell them what they had to know.

From somewhere back in the trees, a gun cracked. The bullet whined venomously past his head. Another gun ripped out from the opposite side of the trail. That was what he had been expecting.

Hidden as the snipers were, there was nothing that he could shoot back at, and to stop and take to cover, would be fatal to those below—to Pat. Smoke Marlow spurred.

There was another shot, then the three were running for their horses to take up the pursuit. Riding desperately, he'd run the gauntlet of their crossfire, unhit. But now they were pounding close behind, gaining a little as his own horse faltered.

For the moment, the trees and a curve of the trail sheltered him. But in another minute he would sweep out on to a long, straight, open stretch, and

not far beyond that, the timber line ended entirely, with four miles across the open to the buildings. There were miles where he would be a target which they could hardly fail to miss.

SMOKE was feeling the effects of the poison increasingly, though the jolting of that wild ride was beneficial. He felt sick, dizzy, at times hardly half conscious of what he was trying to do. But the rush of wind helped to clear his head, and as the open stretch showed ahead, he turned in the saddle, dragging at his gun.

He saw them sweeping around the bend behind, close bunched, guns spitting as they came into sight—but there were only two of them. Smoke emptied his gun, firing with almost automatic precision, saw that one horse ran suddenly with an empty saddle. And in that moment his own horse stumbled, sprawled, throwing him heavily to the side of the trail.

A moment later the terrified cayuse had scrambled to its feet again and was racing on down the trail and out of sight. Smoke lay for a moment, gasping, the breath mostly knocked out of him. He was half-sheltered from the trail by a screen of low bushes. Suddenly he retched, painfully, vomiting until it twisted his body.

But that was salvation. Panting, he sat up, relieved. Much of the pain was gone, and he knew that his chances for recovery were good now, so far as the poison was concerned. But the one horseman remaining was coming on down the trail, gun ready for any emergency, and Smoke's gun was empty.

So far, he had escaped observation by lying behind the screening brush. To try and reload now would mean that he'd be pumped full of lead before he could do anything, for the other man was too close now. His only chance was to remain motionless.

Three feet farther to the side, there was a sharp drop of a dozen feet. If worse came to worst, he might be able to fling himself over the side and risk the fall in preference to a lead pill.

The Bend gunnie was stopping now, dismounting to have a look. He pushed the bushes aside, stared down at Smoke's limp form. Lying as he was, Smoke looked dead, but it was plain that the gunman didn't aim to take any chances.

From the corner of his eye, Smoke saw the gunman's arm was raising now. A bullet at such close range, would be a sure cure for all ills.

Smoke struck out suddenly with updrawn legs, his feet catching the gunman's ankles. The bullet plowed into the ground a few inches from his face, sending up a clump of half-frozen pine needles and muck. But both of them were on the ground then, grappling for possession of the gun.

The big cowboy's six feet three of brawn was convenient now. Smoke Marlow crooked one arm around his opponent's neck, twisting, his other hand closed on the gun wrist, twisting also. He released his hold suddenly with his first arm, gave a sharp blow to the jaw, and the man went limp. He'd be quiet for an hour or so.

STANDING up, still a little dizzy, Smoke holstered the gun, recovered his own and loaded it. There was still no sign of the third member of the trio, the man Smoke had wounded back on the hilltop. The horse was standing where the reins had been dropped, and Smoke pulled himself into the saddle.

He was out in the open now, without any sign of pursuit, the ranch buildings were visible in the distance. From the looks of things, only the three had been sent up Cayuse to poison the water.

That poison! For the moment he'd almost forgotten it. But those at the ranch might drink it. It might endanger Pat! Bending lower in the saddle, he spurred his mount.

Far off to the side, where a line of

scrub pines edged the low sweep of hills, he caught a glimpse of a green and white sweater. That sweater belonged to Pat, and that meant that she was out riding, and was safe for the present.

Then, with narrowing eyes, he saw that she was not riding alone. Another horseman was with her—and he'd seen that plaid jacket at a distance several times in the last few days, enough to think that it belonged to Harley.

So far, Smoke and Harley had not met face to face. This was probably due to Harley's efforts to keep out of his way, Smoke guessed, though he had made no particular effort to meet up with him. Pat had told of her meetings with Harley, but so long as he minded his own business and didn't seriously annoy Pat, Smoke had been willing to let him alone.

The more so, because when they did meet, there would likely be trouble, and he had been anxious to avoid precipitating a clash between the Turkey Track and the Benders. Then, there was Joan.

Though he still did not trust her, in spite of her warning, he rather liked her. And she appeared sincere in her desire to want to be friends, to help them if she could. For her sake as well, he'd been willing to leave Harley alone.

But for Pat to be riding away from the Turkey Track, toward the Moon on a Bend, at this hour—it didn't look right. But Smoke thought, it might be better than having her at the Turkey Track at that. However, his first job was to get to the ranch.

He should beat the crew in, and that was all that really mattered. After he'd told his story—well, war could be no longer delayed, then. Not after such a treacherous, murderous trick as the Benders had pulled today.

Smoke's horse dipped into a valley, the ranch buildings in their own hollow were shut away. Here was a grove of cottonwoods, there poplars in a little ravine.

Half a dozen horsemen were spurring to meet him. Likely they'd heard the gunfire off on Cayuse, were starting out to investigate. Gunfire! It came clearly to his own ears now, the rolling thunder of guns, broken but continuous in a long wave. Then he saw them.

More horsemen, closing in on the buildings from all sides. At least a score of them, little jets of smoke rising from their guns.

The Benders were attacking, choosing the moment when the Turkey Track would be at the mercy of poisoned water.

That they were meeting with a warm reception seemed clear. But there was something else more potent. They had formed a solid ring around the buildings now, and they would aim to keep Smoke from getting through, so that he could not warn them of the poisoned water until it was too late.

Also, it meant that these horsemen spurring to meet him were *not* Turkey Track men, but gun-waddies from the Moon on the Bend!

CHAPTER IX

Night Riders

SO far, surprise attack though it had been, the Benders had found enough defenders at home to give them a warm reception. And now, from the distance, began a fresh drum of gunfire, sweeping nearer. Smoke's heart jumped. That was the main crew of the Turkey Track, coming in. The Benders had struck too soon!

Faced with the danger of being caught between two fires, the invaders swung suddenly, grouping compactly, heading back for their own range. It would be a running fight for a time be-

tween the two parties, but probably nothing very decisive. Smoke's horse trotted up to the big house, he half-fell from the saddle, and staggered toward the door.

Baron Terhune appeared, hair disheveled, but voice cool and unruffled, calmly flipping empty shells from a revolver and inserting fresh ones. He turned at sight of Smoke Marlow.

"What's the trouble, Smoke? Did they jump you, up there?"

"Poison," Smoke explained tersely. "The water's poisoned. Don't let anyone drink it!"

He gagged for a moment, his face greenish, in an after-effect of the dose he had taken. Terhune flung a steadying arm about his shoulders, already shouting orders as he comprehended the seriousness of the situation.

"You'd better get to bed, Smoke," he suggested.

"I'm all right," Smoke protested. "I'll be fine now. Be shore to stop the others from drinking the stuff!"

A quick check-up developed that only one man had had any of the water in the last hour or so. Already he was commencing to feel the ill-effects, though Terhune took swift precautions. Most of the crew were returning now, an ominous mutter rising as they began to understand.

"If I'd known that, we'd have kept on and wiped out those damn skunks!" a foreman growled. "I thought they was jest over here on a bluff!"

"How did things happen?" the Baron asked.

Smoke explained, telling of the guard with a knife-thrust in his back.

"We'll have to go back and fish those sacks out of the springs. Then keep a big enough crew up there to stave off an attack, with at least two on watch all the time. The water will be running clear by morning again, with as big a flow as there is."

There was steady, ordered stir of preparation now. The Benders had started the war, but the Turkey Track intended to finish it. After such a murderous trick as poisoning the water, there could be no further truce. A dozen men were preparing to ride up on Cayuse and clean out the springs. The others were to head for the Moon itself. Smoke prepared to ride with these latter.

Pat was off there, somewhere. To find her might not be easy, but it was a job that he intended to do. And when he met up with Harley Davids, there would be no further postponement of trouble.

NIGHT had settled by the time the men of the Turkey Track were ready to ride, twenty odd of them, a grim crew, silent, ready, knowing exactly what lay ahead.

Had he not known definitely that they were all men once wanted by the law, forced into a more or less voluntary exile on this remote range, he would not have guessed now that they were riders of owl-hoot trails. Those who had settled on the Turkey Track were mostly men like Baron Terhune, or himself—men who preferred the law which was denied them, who still lived by that code.

With the Benders it was different. Such as he had seen of them were well exemplified by Felix Trask, rascals both by choice and by nature. It seemed strange that two such radically different camps could have grown up under the one banner on this range.

Overhead, the moon was struggling to break through a fringe of clouds which had gathered with sunset. The balminess of the day had departed, giving place to a sharp chill. Winter, even here, could not be much longer delayed.

The Moon Bend range seemed deserted tonight, both of cattle and every other living thing. The lower spots between ground swells were deeper pools of blackness in which the trotting horses seemed swallowed, to

emerge again as a shadowy horde which swept steadily toward an unknown destiny. Then, merging out of the gloom at the side, another horseman was beside Smoke. Not until she spoke, almost in a whisper, guarded for his ears alone, did he recognize Joan Davids.

"If you want to find Pat, Smoke, you'd better come with me."

Smoke Marlow swung his horse unhesitatingly, dropped away from the others without their being aware that anything out of the ordinary was happening. This could easily be a trick, to separate him from the others. On the other hand, what he did now might make a vital difference. It was a choice between trusting Joan now, and leaving Pat to the mercy of Harley Davids, if he refused.

They rode for a quarter of a mile in silence, until the others had been completely lost in the night. Joan half-turned in the saddle, her face white under the fugitive gleam of the moon, but at that moment there came the distant drum of guns again, somewhere off on the south range of the Turkey Track. A breathing space of silence, then renewed rattle of shots. The men who had ridden with Smoke, hearing it, were turning, sweeping back to investigate this new menace.

Joan listened a moment, head cocked on one side, and Smoke heard her sigh.

"There's so much trouble," she said, and her voice was shrill, with passionate intensity. "I hate guns!"

"They're bad medicine," Smoke agreed. "What's this about Pat?"

"You knew that she was gone, otherwise you wouldn't have been riding this way." It was half a question.

"I saw her riding this way—with yore brother."

"I guessed that you had, and I saw you start out. She is somewhere, over here, and I want to help you, Smoke. Maybe"—her voice was a soft thread strung on the dusk—"you can guess why."

"She's yore step-sister, I understand."

"Oh, yes. But it wasn't her, particularly, that I was thinking of, Smoke."

THE big cowboy was puzzled. His head still ached and reeled from the after-effects of the poison, and he was in no mood to try and figure out anything. "I don't understand," he said.

"Is Pat the only one you can think of, Smoke?"

"What's happened to her, anyway?"

"I was trying to break it gently, Smoke. She rode off with Harley, like you saw. She and Harley always liked each other—a lot."

"And yuh're trying to tell me that she rode with him, today, of her own free will?" Smoke's laugh was brittle. "You don't expect me to believe that, do you?"

Joan considered a moment.

[*Turn Page*]

"Of course, what you want to believe is up to you."

"I don't understand yore game, Joan." Smoke tried to speak patiently. "Are you trying to help Harley and the Benders?"

The sudden scorn in her voice was unmistakable.

"Help them? Why should I help them? What could either Harley or the Benders give me in return, if I did? Right now, I'm thinking of myself, and you. Let Harley have Pat, if he wants to. Won't I do instead?"

Smoke understood, now. It was funny that he hadn't guessed it before, though the idea that anyone could care for him, was still so new that he couldn't more than half believe it. But if anyone thought that he could care for anybody except Pat—

There was a quality of wistful appeal, of deep sincerity, almost of pleading, in Joan's voice, which checked the hot retort that arose to his lips. She was still talking, passionately now.

"The only way I've ever found to get things, Smoke, is to go after them. They don't come otherwise, and I want my chance at happiness. You're the only one who can give it to me. And now"—her voice broke on a sob—"you—you hate me, despise me!"

"No," Smoke said gently. "No, I don't do that, Joan."

"You don't, but I w-wish you did. That would be a lot better than just—just being sorry for me. I can stand almost anything but that."

Smoke Marlow knew that she was crying, there in the darkness, but there was nothing that he could do but sit there, feeling somehow in the wrong, and wait.

"I am sorry, Joan," he said. "Really I am. And I do like you—"

"That's what I needed," she said, and there was steely edge to her tone. "Having you feel sorry for me while you keep thinking about Pat. But I—you don't hate me too much, do you, Smoke? I lied to you, just now, but I didn't lie to you this afternoon."

"No," he agreed. "You saved my life, then, by telling me what yuh did. Don't think that I don't appreciate it, Joan."

"Well, come on, we'll find Pat. That's what we came for in the first place."

UNCOMFORTABLE and silent Smoke rode on. Joan had turned her horse, was leading the way at a sure trot.

"She's over in a little cabin. Harley tricked her into riding with him, made her believe that you were hurt and over there."

"And she's alone—with him?"

"Don't worry about her. She's not afraid of Harley, any more than I am. I'm taking you to her, which Harley wouldn't thank me for, if he suspected. Do you like her a lot, Smoke?"

"She saved me from hanging."

"And you saved her. That should make you quits."

Since he made no reply, Joan was silent a few minutes. Then she laughed, a little wildly.

"This is the first time I've ever really had something to bargain with—and now I haven't the nerve to go through with it. There's the cabin, ahead."

It loomed now, dark and silent, with an appearance of desertion. The door was unfastened. Half suspecting a trick, Smoke kicked it open, stumbled across the threshold, calling. There was no answer. He struck a match, saw a lantern on a stand and applied the flame to the wick. In the yellow glow, the room appeared to be empty.

Then, from somewhere in a dark corner, a groan sounded. A huddled figure lay there, a little trickle of blood showing.

Smoke hurried forward, his heart in his throat. Then as he lowered the lantern for a better view, he saw that this was a man. And though he had

never seen him before at close range, Harley's resemblance to his sister was marked enough that Smoke knew him immediately.

The trickle of blood on his cheek was from a scratch. He was lying there, hands tied behind his back, feet trussed as well.

"What happened?" Joan asked indifferently.

"Three hombres jumped me," Harley explained, his voice thick. "I tried to fight, but they didn't give me a chance. They—"

Smoke had been examining the bonds. Now, with a knife, he slashed them, and his laughter rang out, sudden and mocking.

"Three bad hombres, eh? And they were too much for you? You mean that Pat caught you napping and tied you up herself—though she's a poor hand with knots."

Harley flushed redly, then his face went white. He did not try to deny it. Smoke was still laughing.

"The bold, bad senor! I came here, intending to give you a piece of my mind and maybe a good thrashing, Harley, but I guess yuh've had enough already. Evidently yuh're nothing for anybody to worry about. And so I'll say *adios*."

STILL chuckling, Smoke turned, went to the door. The look on Harley's face was proof enough that he had hit the nail on the head. Joan stood there as well, her own face a curious blend of emotions, but making no effort to detain him.

At the door, Smoke glanced back, and at the look in Harley's eyes, he paused for a moment, then went on. But he was no longer laughing. What he saw there was hatred—a stark, searing, blind hatred.

Smoke had had enough experience with such men to know that, whatever Harley might have been before, he was an enemy now. Shaking off such thoughts, he strode back to his horse. Pat had made her escape, was probably heading back for the Turkey Track.

But there was other peril abroad tonight, far more dangerous for her than Harley. Those same riders from the Moon would still be somewhere on the range, and Pat might run into them.

His thoughts returned to Joan. She puzzled him more than he cared to admit. He had never known a woman quite like her. From Pat's account, and from her own words, she was heartless, ruthless in going after what she wanted. Yet her words and actions at times offered an odd contradiction.

"Reckon it's beyond me," he decided.

His horse shied in the darkness. Forcing it to return with mincing steps, Smoke dismounted, investigated. Turkey Track cattle, wantonly butchered and left to lie.

Smoke's jaw held a more thoughtful angle as he rode on. This was outlawry, but whether it was planned as part of a campaign or not, looked doubtful. Some of those wild hombres among the Benders were going loco with a thirst to kill.

Voices, muted by distance, reached Smoke's ears, and the cowboy rode that way. He slowed as he came closer, his whole body tensing, for one of them was Pat's voice. Then the growl of a man, followed by a drawling comment from another.

"Really now, there's no hurry, girlie. You wouldn't want to get back to the Turkey Track tonight anyway. It's scarcely safe there. I'm sure you'll enjoy our hospitality, over at the Moon."

"I've had a sample of your Moon hospitality already." Pat's voice was sharp, defiant. "I didn't think that any men in the West were so low that they made war on women."

"Of course not. You misunderstand us. I'm Felix Trask, head of the Moon—"

"Then let me go!"

"We couldn't think of letting you

go, for your own good," Trask protested smoothly. "There's danger on the loose, tonight, and you'll be a whole lot safer on the Moon."

There were, Smoke saw now, seven of them—all, at the moment, on foot, though their horses were not far off, with at least one man watching them. One of the group was kindling a fire, throwing more wood on the blaze. Off here, there was little danger of their fire being seen from the Turkey Track headquarters.

Seven were heavy odds. But there was the element of surprise in his favor.

DIRECTING his horse with a touch of the reins Smoke sidled a little closer. The darkness was thick here, beyond the glow of the fire, and everyone's attention was centered on Pat. Smoke had loosed his lariat. Now the loop weaved out, settled over Trask's head, jerked tight about his neck before he knew what was happening.

"Don't touch that rope, Trask," Smoke warned, "unless you prefer a bullet to bite on! The rest of you reach for the stars, and keep grabbing. My rope's tied to my saddle-horn, Trask, and if there's anything starts, I'll drag yuh to death, and don't make any mistake about it!"

Trask's hands had half-raised in involuntary gesture toward the rope about his throat; one or two of his men had started to reach for holstered guns. But the threat of what impended checked these motions in mid-air. A single leap of Smoke's horse, at a touch of the spurs, or startled by a burst of gunfire, would jerk Trask from his feet, and a few more jumps would mean swift and terrible death. Even though a lucky bullet might get Smoke, that would only add to Trask's peril.

"Let Miss Pat go," Smoke went on. "Do that, and I'll let you go, Trask. Otherwise—"

"Don't think you won't pay for this," Trask snarled.

"No? Want to bet yore life on it?"

The boss of the Moon hesitated a moment, glowering, his thin face gone sullen and savage. But the pressure of the noose about his neck immediately decided him.

"What assurance have I that yuh'll let me go, without hurting me?" he demanded.

"My word, and no choice in the matter but to take it."

This time Trask's hesitation was brief. With one hand on the rope, Smoke was pulling a little, tightening the noose in ominous warning. His face whitening beneath its tan, Trask waved one hand.

"Let her go," he said thickly and sullenly.

"Yuh'll march ahead of me, at the end of that rope," Smoke ordered, "until we're well off to the side. Then, if yore men stay away, you go free. First, though, one of you take his guns, and you, Red-nose, tie his hands behind his back. Make it lively, now."

Smoke Marlow's eyes, from where he sat, hidden in the gloom, were ranging. He saw the shadowy form of the man who had been watching the horses, slipping closer. Smoke's gun flamed, the flash of it like a crimson blade lancing in the darkness.

There was a startled yell followed by a groan. Smoke's voice rang harsh.

"Come into the light with yore hands up! Next time I'll drill yuh dead center."

The guard obeyed, blood dripping down one upraised arm, spattering on the ground. The others were hastening now to obey Smoke's orders. Trask's face was a livid mask.

"Yuh'll pay for this, hombre," he gritted.

"Mebbe," said Smoke Marlow. "March, now. And if the rope goes slack one second, it'll go tight on a gallop the next. Better think hard on that one, Trask."

CHAPTER X

Outside Law

MIGHTY Cayuse Mountain dominated the skyline in all directions across stretching miles, and from there an excellent lookout was afforded. Half a dozen men now, besides Smoke, stayed there, with two on duty at all hours, regardless of weather, watching the water and the lands below. It had been that way for a week—a week of small skirmishes.

Cleaned out and allowed to run for a few hours, the water of the springs was as good as ever. Aside from Smoke, there had been two other sick men, one violently so. All had recovered, however. A few head of cattle had gotten the poison and died.

The net result of all that had been chiefly to intensify the hatred of the Turkey Track for the outfit which had formerly ridden with it under the same hoot-owl banner.

But there had been no other overt act from the Benders since that first night. Smoke had looked for sudden trouble from Trask, but the ex-captain of artillery had remained on his own side of the line and kept his crew with him. This, however, fooled no one.

"We'll keep our powder dry and our eyes open," the Baron said laconically. "And stay on our own side of the fence. If we go over there, they'd like nothing better. When they get ready for trouble, we'll be ready."

This delay on the part of the Moon had been puzzling to all of them, wearing on already frayed nerves. But trouble was coming now, or Smoke was no judge. He saw it with a tightening of the lips, realizing what this might mean, the trouble it could presage for himself.

Miles away, to the south and east, he could see the border—the dividing line between the Range of No Return and the land beyond. Mile on mile of low rimrock hills marked this border, a line long recognized by both sides.

Now, two riders had crossed this line, were heading straight in for the buildings of the Turkey Track. In that, there was nothing startling. But these men carried a white flag of truce, plainly to be seen even from here. Smoke turned to Jimmy Crofts, comfortably whittling an intricate design from a piece of pine.

"What do you make of it, Jimmy?"

Jimmy Crofts stared for a moment, his mild blue eyes widening a little, removed his hat to scratch his shining pate, and replaced it again.

"What the devil!" he said feelingly. "Them hombres must be outsiders, Smoke. There must be somethin' up—somethin' big!"

That was Smoke's opinion, though to him there was nothing surprising in the visitation. He had been rather expecting something of the sort to happen before this.

"Jimmy, you and Slim ride down and meet them," he instructed. "Monty, you and the rest of the boys keep yore eyes open, up here. I'll ride down and tell the Baron that we have company."

Jimmy Crofts, already weaving in his gait, was swinging into the saddle. He turned for an instant to stare at Smoke.

"Somethin' damn funny about this, if yuh ask me," he growled. "Where's our border guards?"

CROFTS swung off down the mountain with a touch of spurs, followed by Slim. Smoke was wondering about the same question. An hour later he had appraised the Baron that visitors were on the way in. Terhune did not seem surprised.

"Times change, even on the Range of

No Return. I'd like you to be with me when I talk to them, Smoke."

By now, the four were coming into sight, Jimmy Crofts and Slim riding with the other two. The white flag had been lowered, but something else could be seen now. Badges, pinned on the newcomers' coats, glinting in the sun. The law had crossed the frontier.

There was an excited buzz of speculation from the crowd of Turkey Track waddies who had gathered to watch this approach. Mingled with it was amazement. Of them all, only Smoke and the Baron seemed to feel no surprise.

For a moment, as the two law men rode up, Smoke's heart seemed to slow, then to speed up a little. Both men, he saw now, wore deputy sheriff's badges. One of them was a stranger to him. The other was Foster, one of Bart Creston's deputies—the same man who had answered Pat's call in the jail, who had wilted down under that vicious rap from the gun in Smoke's hand.

Silence had fallen as they rode up. Smoke could see their eyes ranging speculatively over the group, resting momentarily upon himself, but without undue interest. Baron Terhune stepped forward a little, greeted them courteously, his back like a ramrod.

"Gentlemen," he said, "you break a long tradition, but when you come under a flag of truce, and are not turned back at our border, you are welcome. Kindly step inside and we will discuss matters."

The deputies dismounted, with a polite word or so, followed the Baron into his office, Smoke behind them. As the door closed Foster spoke insignificantly.

"Dead men don't make very good border guards."

The Baron stiffened a little.

"Dead men, did you say, sir?"

"We saw two dead men, where your border runs. They had been shot from behind."

The Baron had been turning to a little cupboard. He stood a moment, then opened the door, produced a bottle and glasses, and with a murmured word of thanks, the officers accepted his hospitality. Not until they had set the empty glasses down did the Baron speak again.

"That explains your entering our borders without challenge. I pledge you a safe return. And now, gentlemen, your business?"

IT was evident to Smoke that the beard which had grown during the past weeks had served as a disguise and Foster had not recognized him. Had he done so, that might have made a difference. He spoke now, forthright.

"Thanks, Terhune. We came in here because the old law of the Range of No Return has been broken, from this side of the line. Know anything about it?"

"Something, sir. Too much, I am afraid. Let me assure you, however, that it is none of my doing and that the men of the Turkey Track are not responsible."

"We gathered as much, Baron. That's why we headed for the Turkey Track. We took a couple of prisoners, night before last, in a raid on the Hawley bank. They talked some."

"A raid on the Hawley bank, you say?"

"That's what I said. Three men murdered—the cashier, one teller, one customer. Shot down in cold blood, and sixty thousand in loot taken. Only, the citizens armed too quickly for them. Four men got away, but five remained behind—two as prisoners."

"I hadn't heard of that." The Baron shook his head. "I genuinely regret, gentlemen, that such a wave of lawlessness should have transpired."

"That isn't all. There's been plenty more, the last month. But the big raid, so far, was last night, on the Circle C Ranch. Two more men killed, a thou-

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Foster spread his hands expressively.

"You kept the peace, back in here, for twenty years, Terhune. When a wanted man came in here, he stayed, and he caused the state no further trouble. The law has been appreciative of that, and has been willing to overlook other points on that account. But when the situation here gets out of hand, beyond yore control, as it seems to have done now—well, we rode in here today to tell you that a posse is on the way in. You know what that means."

"I could make a guess."

"Exactly. Those prisoners tried at first to make us believe that this whole hoot-owl country was on the war path together, but they dropped a few remarks that led us to believe it was the Moon on a Bend which was responsible. That's why we come to you this way. If we have to fight yore whole range to clean up this country, we'll do it. But we figured that you would be living up to yore old principles, Baron, and that you can change with the times. If so, we'll be glad to have you cooperate with us, or remain neutral, if you prefer—but the Benders have to be cleaned up."

"And if we did either of those things?"

"You wouldn't regret it. First, though, am I right? Is there trouble between you and the Moon? Your murdered guards made it look more that way than ever."

"There's plenty trouble between us," Terhune nodded. "When it comes to murder, you can judge for yourself."

"Jest so. Then you should have no objection to our cleaning up that murderous crew over there. If you'll be neutral, we won't bother you. We have authority to promise you that. Of course, if it's a fight between you two outfits, it would pay you to help us clean them up."

The Baron arose, crossed to the window, and stared meditatively out. His face was still a mask to his emotions, but his eyes showed that he was moved.

"It has been a long time since I've met the law on equal terms," he said, a little wryly.

"Perhaps. Personally, Terhune, I don't know what yore offense was, that sent you in here in the first place—and I don't give a damn. I know yore record since yuh've been in here. It's one that any man might be proud of. Yuh've maintained law and order on a lawless range. And I figured that, whatever yore offense may have been, that yuh've served yore time already."

THE other deputy was watching, blinking sleepily, but with eyes which Smoke knew masked a bloodhound keenness. He had said no word since the greetings at the start.

"I'd like to get this straight." The Baron turned, sank into his chair. "If the Turkey Track helps the law, lets your posse come in here without challenge, and cleans the Moon up—after that's done, what happens?"

"Plenty, I jedge." Foster crossed his legs, cocking them so that the spurs would not scratch on the floor. "I'm putting all our cards on the table, gentlemen. After it's over, this won't be the Range of No Return any longer. It will be under the law, and it will be opened up to outsiders. But honestly held land, such as the Turkey Track, will be safe to those who are now on it.

"They will be given legal title. Open range, of course, and naturally there's a lot of it, will be open to outsiders, and in such a case they'll come in. The country's changing, whether some of us old-timers like it or not. It can't be staved off."

The Baron made an impatient gesture.

"I wasn't thinking about land, but men. I know as well as you do that change is coming. If we help you,

what do we get out of it, for our men?"

"Every man of yores, that you vouch for as trustworthy, will be able to keep right on. The law will forget that it ever wanted them, which is better than keeping on being hoot-owl riders."

"That's a promise that you can keep?" The Baron was leaning a little forward, his face lighting.

"It'll be kept if you side with us, my word on it. There's only one exception to this blanket rule."

Smoke stiffened a little.

"And that?" the Baron asked.

"It applies to a killer called Smoke Marlow. We don't know, but we figure he's somewhere in this country. He might be with you, though he may be on the Moon. In any case, he's a recent comer, and with a bad record that the law can't afford to overlook. There'll be no pardon for him. But for the rest of the Turkey Track, if you give us yore word, I can give you the governor's in turn. How about it?"

The Baron glanced at Smoke, half-opened his mouth, closed it again as Smoke yawned and stood up.

"Fair enough. The Turkey Track will cooperate on those terms. Eh, Baron?"

The Baron was a poker player. No trace of emotion showed on his face, any more than on Smoke's. He nodded.

"My word on it," he agreed.

The four of them shook hands. It was a pact between men whose words were considered as good as their bonds. The Baron would have stood ready to bargain or refuse for Smoke's sake, the big cowboy knew, but the law was being more than fair in dealing with the Turkey Track, and it was not for him to spoil this chance for other men who wanted to go straight.

Despite the grimness of the edict he had just heard pronounced, Smoke could scarcely repress a grin as he returned Foster's handshake. He'd be surprised if he knew whose hand he was shaking.

CHAPTER XI

Bloodhound of the Law

COMING down the broad, winding stairway, Pat had seen the arrival of the two lawmen. She heard Foster's pronouncement, heard Smoke's matter-of-fact agreement to his own doom.

She stopped for a moment, hands pressed to her breast, trembling. Her reaction was one of acute dismay, her impulse to go out and confront them and insist that such an agreement was violently unfair. But a moment later, as a door, already held ajar below, started to open, she turned and darted back up the stairs, breathing quickly.

It was evident to her now that neither Foster nor the other deputy had recognized Smoke, though they had a hunch that he was somewhere in this country. But, once the word got around, the Turkey Track punchers could be depended on to manifest complete ignorance of his whereabouts.

Smoke occupied a position now akin to foreman under the Baron, testifying to the latter's trust and belief in his abilities. And, following his ride to the ranch after the poisoning of the springs, the crew, to a man, had held him in high esteem.

The only immediate danger was herself. If Foster had a glimpse of her, he would know her at once. And that would be proof enough for him that Smoke Marlow was somewhere about.

Pat waited upstairs while the afternoon waned, gazing from the window, chafing impatiently at being caged up on such a perfect day. The last several days had been balmy, and outside now it seemed almost like summer.

But such weather couldn't be expected to continue much longer.

From her window, later in the day, Pat beheld the arrival of the posse—half a hundred riders who came jogging up like men returning from a roundup. Of them all, only one man attracted special attention, and that, perhaps, because he seemed so anxious to attract none at all.

He was a small, wiry individual, giving somehow in appearance and movement the semblance of a ferret. His rather obtrusive nose listed to the left, as though smashed out of place at some time in the past. His jaws worked in perpetual rolling motion around a quid of tobacco, and someone hailed him as Gimball.

Gimball! Where had she heard that name, Pat wondered. It had a vaguely familiar, somehow disturbing sound. Then, lounging against the side of the bunkhouse, one foot cocked against it, slouch hat tilted over his eyes, Gimball asked a casual question regarding Smoke Marlow.

THE two Turkey Track men nearby stared mildly. One was Slim, who shook his head.

"Ain't that the feller that rubbed out this Nick Weber? Gosh, he musta been a cold-blooded sort of a hombre."

"He is, from what I hear," Gimball nodded. "Cold-blooded as they make 'em. An iceberg'd thaw in his veins."

"He is?" Slim opened his eyes in mild surprise. "How can a dead man be is? I figgered this Weber was mebby warm-blooded by now."

"I was speakin' of Marlow!"

"Oh, him? Guess we was barkin' up diff'rent trees. What ever became of this Smoke, anyway?"

"That's what I was wonderin'. I figgered he might have headed this way."

"Mebbe so. They's some awful tough characters come to that Moon on a Bend. I ain't been keepin' up my social calls over that way any too good lately, so any names they've added to their blue book, they might be in red ink for all I know."

Pat smiled to herself. Gimball might be inquisitive, but he wouldn't get far along that line. That he was persistent, however, was proven when, a few minutes later, she saw him in conversation with Jimmy Crofts. Jimmy, with his fringe of silvery hair and his look of a deacon, was squinting now toward the setting sun and shaking his head sadly.

"It was right misfortunate, the way it happened," he explained. "Yes sir, as sad an occasion as I can recall."

"What you referrin' to?"

"Why, shucks, to the demise, as you might put it, of this here Smoke."

"How do you mean, demise? Is he dead?"

Crofts shook his head and bored a hole in the dirt with the toe of one shoe.

"If he ain't," he said, "then all I can say is, we done him a grave injustice."

Gimball was patient.

"You mean he's dead—and buried?"

"Well, he's buried, for a fact, and we sure figgered he was dead. Couple weeks ago, it was, I guess. We rubbed out one of these here Moon Benders and buried him. Such bein' our custom over here on the Turkey Track."

"You mean the man you shot and buried was Smoke Marlow?"

"Well, that's what one of the Benders told me the next day, when we got to palaverin'."

"How come, if he was a Bender, and acting up so he had to get shot?"

Jimmy Crofts opened his eyes a little wider.

"Why, dang it, he's the sort he was painted to be, that was too easy a way out for him. And we ain't had nobody in here in years that deserved nothin' like that."

"How long you been here?"

"Me? Not long. Twenty-three

years, come spring, the way I figger it."

Pat smiled a little. Jimmy's earnestness was convincing, but his added details lacked the same ring of authenticity. While Gimball made no comment, Pat knew that he was not deceived. If anything, his suspicions had been fanned. And suddenly, with a little catch at the heart, she knew who he was.

GIMBALL! Bloodhound of the law! Man-hunter. The name fitted him as a glove fits a hand. He wore the badge of the law, and he held an enviable — or unenviable — reputation for getting his man. The very name of Gimball had become a symbol of untiring pursuit.

If a wanted man had a price on his head, a price high enough to warrant the words, "Dead or Alive," with it—then Gimball would take the trail. And he preferred to bring his victims in feet first.

That, of course, was why he was here. Nick Weber had been a rich man and powerful. His friends had been few, but his wealth still spoke with something of his old power. Accordingly, there would be a heavy reward offered for Smoke, and the law was not particular as to whether he was brought in feet first or not.

Hurriedly slipping on a coat, Pat went outside, located Jimmy, and beckoned him to her side. He came with a lurch as his stiff leg listed and heaved.

"Evenin', Miss Pat. You're lookin' a mite pale around the gills. Anything I can do for yuh?"

"I heard what you were telling Gimball, about Smoke—" she began breathlessly.

Jimmy stiffened, his back as stiff as his leg.

"Gimball?" he barked. "Was that critter Gimball?"

"Yes."

Jimmy spat.

"And me, jest takin' him for an average run-of-the-herd maverick," he growled. "Dang his ornery skin! I'll have to get to the boys and tell 'em to stick to my story."

Troubled, Pat started back toward the house, then, on sudden decision, went to the barn instead and saddled a horse. It was dusk now, and she could move about with less danger of being recognized. She had to find Smoke, to warn him of just how great his peril really was. For Gimball, man-hunter, with the cloak of the law to shield him, was actually only a cold-blooded killer, one who killed for the lust of the hunt and the profit of blood-money.

If he succeeded in learning what he wanted to know, he was the sort who would strike without warning, taking advantage of the range war now coming to a head. A bullet from ambush would be ample for his purpose, fired at the right time.

Smoke, now, would be heading back for Cayuse, to keep a sharp eye on the water supply during the night. She would find him there, without any trouble.

Her horse slowed to a trot, to a walk as the slope of the big hill was ahead. To Pat's ears came suddenly the sound of other hoofs—hoofs which were slowing, too, as she did.

Deliberately, she turned, swinging gradually, heading back toward the ranch buildings. She reached the barn, unsaddled, turned her horse into the corral, watching from the shadows. A little later, still grimly unhurried, Gimball rode up as well and turned his own horse into the corral.

IT meant that Gimball had found out about her, and he had managed to keep an eye on her, even when she started out for a ride. The other perils of this Range of No Return were as nothing to this bloodhound on the trail.

It was plain enough also that he was skeptical of the story told him by Jimmy, of Smoke's having been killed.

The mere fact that Pat was on the Turkey Track instead of the Moon discredited that. The one thing definitely in their favor was that none of the posse, as yet, had any suspicion that the big, bewhiskered puncher known now as Boots Brodie was the man they wanted.

That had been the Baron's idea—to introduce Smoke to them as "Boots," and casually drop a hint that his chief lieutenant had been there for years.

The new day found the Benders in the saddle—heavily armed men heading in a compact body for the Turkey Track. Not to be caught napping, the Turkey Track rode to meet them at the border of the two ranches, knee to knee with the law men.

Smoke saw that the Moon, despite their apparent challenge, rode slowly. When hardly more than a hundred yards separated the two groups, they stopped, then Felix Trask rode forward alone. He was a soldierly-appearing figure, indicative of his early training, of the uniform he had disgraced. But today, despite his best efforts, he rode unsteadily in the saddle, evidence that he had been drinking heavily.

Terhune signaled the others to stop, rode out to meet him. The two men saluted each other stiffly, their words clearly audible to both sides.

"What's the meaning of this armed invasion, Trask?" the Baron snapped.

"That's what we came to ask you, Terhune. Hasn't there been a long-standing agreement about this range of ours? That no law men or other outsiders would be permitted to cross the border? What's the idea of them being here now, riding stirrup to stirrup with the Turkey Track?"

"Don't work up a lather," the Baron retorted contemptuously. "It was you who broke the old law by crossing the border. The law is here, and when it comes to making a choice—well, we haven't forgot murder and poison!"

Trask's flushed face went redder.

"If that's the way you feel about it, then to hell with you and your law friends both," he snarled. "We've got plenty of fighting men, and since you're asking for trouble, you'll get it. It'll be the Range of No Return now—for you and all that pack of mangy curs yapping with you!"

It wouldn't take much to set off a spark, right there. Smoke saw that both sides were tense, at hair-trigger tension. Well, since it had to come, sooner or later, probably it might as well be now—only, this way, it would be a bloody slaughter on a big scale.

TRASK turned to ride back to his men. The Baron was already returning. It was at that moment that Gimball, beside Smoke, raised his gun, the sun glinting along the barrel, the muzzle steadying on Trask's unconscious back. No one else had noticed the motion.

A touch of the spurs sent Smoke's horse plunging closer. His hand knocked down the gun-barrel, driving the bullet into the ground. Trask jerked his head around, others on both sides were staring, grabbing at guns, checking the motion in mid-air as understanding came to them. The Baron, his face purple, spurred up.

"We don't stand for that sort of thing in this country, Gimball," Baron Terhune warned. "Give me your guns."

Gimball hesitated, glancing around, reading no friendliness in the faces of any of the others. Foster turned his back squarely on him. Shrugging, Gimball obeyed.

"I wasn't aiming to shoot—then," he said flatly. "His knocking my gun made it go off."

"Don't drag it, next time, till the rest of us do," Terhune said drily. "It don't look well."

Felix Trask had stopped and was staring back, first at Smoke, then at Gimball. That he had heard the man-

hunter's name and understood was plain enough. There was a heavy reward offered for Trask, as well as for Smoke Marlow.

Much of the effect of liquor seemed to have vanished from the boss of the Benders in that moment. He had hated Smoke for his putting a noose about his neck, the other night, and getting away with it. But that there was a spark of sportsmanship in him was proven now.

One hand lifted to Smoke in gesture of salute. Then, his face a mask, he rode on back toward the Moon, his men falling in behind him. For the moment, this was truce. But it also meant that the men of the Moon on the Bend had a deep respect for Smoke Marlow.

Pat, from her window, drew a breath of relief as they turned back. She had watched with Pearl Terhune, restrained from going out herself only by the fact that to do so might be to betray Smoke. But now she had to get out in the air.

She chose to walk, today, slipping away from the buildings unobserved, following the contours of a brush-lined coulee so that there would be no danger of Gimball or others seeing her. It was peaceful, out here, the sun warm overhead, a few hardy insects droning in the air as though aware that now their day was short.

With the threat of an immediate clash averted, the crew had scattered to their usual posts.

The possemen, each of them grimly determined on a settlement but a little sobered by the man-power exhibited by the Moon that day, were willing to wait.

Pat, sitting on a little, grassy slope, turned suddenly, her hand on her revolver, ears attuned to any sound. A moment later she saw him coming as quietly as he could manage it up the coulee bottom—Harley Davids.

She waited a moment longer, then, leveling the gun, spoke, her voice tinged with scorn.

MENACE RIDES THE HILLS

IN

BLACK GOLD RANGE

A Complete Book-Length Novel of Frontier Mystery

By CLAUDE RISTER

COMING SOON

"You might as well come out in the open, Harley. I've got a gun on you."

Harley obeyed, apparently not in the least disconcerted. He was smiling as he approached.

"This is luck," he declared. "Getting to see you today, Pat. I wanted to, awfully, but I was afraid you'd be in the house and I didn't know jest how to manage it."

PAT studied him, faintly amused. "If you're through speaking your piece, you'd better be getting back to your own range—before I decide to march you in and turn you over to the law."

"The law doesn't seem much interested in wanted men, to judge by how it's hobnobbing with the Turkey Track."

"The Turkey Track is granted a general pardon, for siding with the law. If you could only have guessed that, you'd have settled on this side of the line, wouldn't you?"

"Certainly, but I'm not with the Moon, of course. Anyway, how does this come about?"

"It was a choice which the Moon made for it. But you're too late, Harley. Anyone on the other side of the line is beyond the scope."

"I'd gathered that much. And, as a matter of fact, it doesn't extend to a certain Smoke Marlow, either—or a Boots Brodie."

Pat paled a little, startled by the extent of his knowledge.

"What makes you think it doesn't?"

"I have ways of finding out things," Harley shrugged. "There's a leak from the Turkey Track to the Moon, if it interests you. Who acts as a spy, I couldn't say, but there are a few."

Pat's lips were stiff. Somehow, she could not bring herself to speak. There was too much fear in her heart.

"I thought you might be interested —since you seem to like this Smoke so much. And since Gimball is here, with the backing of the law, in that case."

"Just what do you mean, Harley?"

"I mean jest this, Pat." Harley's tone hardened, a little of his hatred for Smoke crept into it. "I've always loved you. I love you now. And I'm going to have you. If you think half as much of Smoke as you pretend, there's jest one way you can save him."

"That's a queer sort of love," Pat whispered.

"You can call it what you want to. I'm telling you that you've got jest two choices—to came with me, or to see Gimball deal with yore precious Smoke."

The gun in Pat's hand was no longer lax, but pointing directly at his heart. Her voice was steely as the barrel.

"In one minute, Harley Davids, this gun is going off. If anyone hears, it won't make any difference. I'll say that I was disturbed by a Bender, You'd better go—and don't come back."

Harley watched a moment, biting his lip. Then, reading the purpose in her eyes, he obeyed. But something in his eyes chilled Pat so that she could scarcely hold the gun steady.

CHAPTER XII

Red Death

A HORSEMAN was riding past the rim of the coulee. Pat crouched lower behind a screen of brush, then, as the rider spoke softly to his horse, she was suddenly up and scrambling to the top, calling out, half-laughing, half-crying. Then Smoke was off his horse and had caught her in his arms.

"Why, Pat," he exclaimed, stroking

her hair with one hand. "Pat pardner, what's the matter? What are you doing out here, Pat? Yuh'd ought to be at the house."

"I had to get out and get a breath of air, by myself. Ever since those weeks in prison, it stifles me to be shut up. And—oh, Smoke, why did you make that awful bargain yesterday about yourself? If you'd kept quiet, the Baron never would have agreed. He stands by his friends. And the law would have had to accept your terms."

Smoke shook his head.

"The law couldn't do that—not in my case," he pointed out. "And it's because the Baron does stand by his friends that I couldn't allow it. The Turkey Track needs to be friends with the law, not only for the sake of all the old owl-hooters on it, who ask nothing better than a chance to be allowed to go straight, but because of the Moon as well."

"How do you mean, the Moon?"

"We have to have the law for allies. The Moon has been importing a lot of gunmen lately—wanted killers who are willing to follow Trask to hell before breakfast, if he asks them to. A few weeks ago, the Turkey Track was the biggest ranch, in point of men. Right now, even with the posse, we're hardly equal to them. It was the only thing to do, Pat."

"Maybe." Pat sounded doubtful. "You made a lot of friends on the Moon, this morning by saving Trask. Smoke," Pat's voice was tremulous, "do you know about Gimball?"

"Know what he's here for, you mean? It's only too evident. But he isn't getting anywhere. Everybody on the Turkey Track swears that I'm dead, and the Moon, after this morning, won't betray me to a man like Gimball."

"Most of them won't, Smoke. But Harley Davids will."

She went on to tell about Harley's visit, his demands and his threat. Smoke was breathing heavily.

"The confounded sneak!"

Smoke thought for a moment. He knew that it was no idle threat of Harley's. The man hated him and once the war started—and it would be only a matter of hours, at most—passions would be swiftly inflamed again, the Benders would remember only that Smoke rode with the Turkey Track. That would be the time for Harley to act, and he was utterly without compunction when it came to serving his own ends.

SUDDENLY a new thought came to Smoke—one which was a little startling in its possibilities. He reviewed the facts briefly.

Harley Davids was treacherous. That was grimly attested by the fact that, claiming to love his stepsister, he had none the less sold her to drunken Nick Weber for gold. Thereafter, when she had escaped, Harley, along with others, had taken up the search for her—

After that Nick Weber had been murdered, with Pat's own pistol, which, she had told Smoke, she had left in the house. Who else would have ready access to that gun, to take it, except Harley? It was quite conceivable that he might turn against Nick Weber and kill him when they met at a deserted cabin in the wilderness.

With Weber dead, Harley would have had his profit, Pat might be expected, as his widow, to inherit his wealth, and Harley could again stand a chance. Moreover, if he were to assure her that he had killed Weber, to save her, it might help his case.

Under such circumstances, Harley might be a killer. He probably had not thought that Pat might be accused of the murder. That had been an unforeseen result of the dropped and forgotten gun. And the knowledge that he was a killer, that the law might be on *his* trail—that, seemed reason enough to send Harley scurrying to this Range

of No Return.

Up till now, Smoke had never thought of it in that light, but everything seemed to fit. And if, under stress of gigantic events now being molded in the crucible of time, Harley could be tricked into confession—he, Smoke would be cleared! Smoke turned to Pat, and told her of his suspicions.

Pat listened with narrowing eyes, frowning as he reviewed the case.

"It seems possible," she agreed. "But how are we going to find out?"

"You'll have to help me, Pat. You can go to his cabin this evening, meet him, talk to him, pretend that you're terrified about his threats. I've a plan. And I'll be close at hand. We'll follow some of his own methods—"

Off on the northern range, faint with distance, came the boom of a gun. Almost instantly there was an answering crash, the louder shock of a rifle. Then, like a deepening roll of thunder, not one gun, but many, settling to a steady wave of sound which rolled across the land.

Smoke listened a moment, his lips thinning. Then he swept Pat up in his arms, ran the few steps to his horse, swung her up to the saddle and was in it behind her, spurring for the house.

"The war's on," he panted. "Our little scheme will have to wait. You stay at the house, now."

"Smoke, be careful!" Pat's arms were around his neck.

"Since I see a ray of light ahead for both of us, I'll be as shy as a colt watchin' a piece of paper," he promised.

Somewhere in this mess, Smoke decided he had to find Harley, and make him confess. Harley was pretty sure to be swept up in it somewhere, and, hating him, it was Smoke's job to save him from being killed. Dead men tell no tales.

AFTER the first burst of heavy firing, the tempo had dropped somewhat, though it still continued raggedly. Two parties of horsemen had evidently clashed, but they would not fight in the open for long.

The sun was already swinging west in a blaze of crimson. Other men were sweeping out from the buildings, heading as grimly toward the theatre of trouble. From the sounds, the fight was taking place on the Moon's territory.

Topping a rise, Smoke could see some of the fight itself. There were, he judged, a number of men engaged on each side. Evidently there had been a sudden chance encounter, a brief exchange of lead at fairly long range, without a great deal of damage done. Then the Benders, outnumbered, had taken cover in a long, densely wooded coulee, and now were holding their ground, waiting for reinforcements, while the Turkey Track tried to rout them.

He left his horse in a smaller draw, along with others, went forward on foot, seeking the best cover. Not far off, Deputy Sheriff Foster was crawling on hands and knees. One of his arms was bloody, with a hasty bandage tied about the wrist, but since he was still able to use the arm, it apparently was nothing very serious.

He glanced up, saw Smoke, and nodded.

"Hurt?" Smoke asked.

"Bullet creased me. Those killers started in to mow us down the moment they saw us—but they got fooled. They thought there weren't over a dozen of us, and that they had us trapped. Then the rest of our crew rode out of a draw, and they kind of pulled in their horns. Got four of our boys, at that, that first volley, but we're evening accounts!"

Smoke nodded, his own face set as he wormed forward. There was a sudden fresh burst of crackling shots from not far ahead, a hoarse yell for help from some of the Turkey Track. Jumping to his feet along with Foster, he plunged through a screen of brush, saw where

three men had been surprised and nearly cut off by a sudden attack of three times their number. Among these, working the lever of a rifle as he ran, was Harley Davids.

Even as Smoke came in sight, one of the three men sprawled on his side, blood gushing from a wound in his right shoulder. He transferred his revolver to his left hand, painfully, but grimly intent. Then, raising it, he sent a hail of lead back, then collapsed.

But his shots had found a mark. Harley, running forward, stumbled, went down in a welter of blood, in a clump of prickly ground cedar.

MORE of the Moon men were coming up at a gallop. There was only one thing to do, and that was to seek a healthier climate with less of leaden hail.

Off to the side a couple of miles, the battle was also beginning to spread. This meant that a vanward movement of Trask's men were trying to reach Cayuse Mountain again, to gain control of the water. Smoke Marlow, reaching his own horse, paused in the saddle a moment.

"Get going, man!" one of the men exclaimed hoarsely. "Off to the west, there. Come on, we've got to stop them!"

He was almost frenzied in his excitement, and several of the others were little better. Smoke held up a hand.

"Wait!" he ordered tersely. "You fellows aren't needed off there. It's jest a trick to draw men off there, anywhere, so that the Benders can get through to the hill. Come with me. It's the water that's important now."

Without waiting to see whether they were following or not, he urged his cayuse to its utmost. Smoke knew the crew was on the mountain, but they wouldn't be enough now.

Two miles, and he knew that his hunch had been correct. A strong force from the Moon had circled Cayuse and was trying to get control of it. Already they were nearing the top, where the handful of defenders were fighting with their backs to the wall.

The others had followed Smoke's lead and went by direct route, to the top. Here the timber stood, pine and spruce which crowded close to the trail, muffling their passage. A warm air seemed to hang here on the mountain, the ground underfoot gave little spurts of dust under the horses' hoofs.

The horses were panting from the long, steep climb. Smoke tried walking, but as the others followed his example, the weary cayuses slowed, leaning back on the reins. Someone cursed his nag roundly.

"Loop the reins over the saddlehorns, and let them go," Smoke ordered. "We won't need them now. We'll head straight through the trees and surprise them."

Smoke was thankful for this bitter, panting action. It gave him no time to think, to remember Harley Davids, sprawling there in a welter of his own blood. He had richly deserved killing, but that meant an end to Smoke's newfound hopes of clearing his name, of eventual freedom.

Through a lane of trees he glimpsed his own crew—seven men left now, crouching behind such shelter as they could find, with the Benders hardly a stone's-throw away, working closer in every sudden rush.

Smoke's first bullet twitched through a shapeless felt hat, jerking it a little on the owner's head. An expression of astonishment washed over his face, then, with a sudden yell of startled comprehension, he was beating a hasty retreat toward better cover.

His companions were joining in now, and, caught between two fires, they wavered, broke to the side, taking advantage of such cover as straggling trees afforded here. Then the retreat was becoming a rout as Smoke's fresh crew plunged after them. Part way

down the hill, Smoke called a halt.

"We'd better get back up to the springs again, and stay there. That's the danger point."

THREE men were wounded, one was dead. Smoke, with the guard strengthened now, set about caring for the wounded. Night had settled down below, though a faint light still lingered up here. With the dropping of darkness, the last sounds of gunfire from the lower stretches of range had died away, leaving a false peace to brood.

Smoke wished fervently that he could see what had happened down below while the fight went on. The sounds had been none too reassuring. He might be wrong, but he knew that the Benders had come sweeping on the Turkey Track range, a furious onslaught of man power. What had happened then?

Was the Turkey Track penned up at the buildings, placed on the defensive? Or did they hold their own range yet? As the hours wore on, that question became more and more puzzling. If the Benders had the range, why did they not give more trouble up here?

But the hours brought no sign, and the night was black, with lowering clouds and a threat of the long-delayed storms. Leaving guards posted, Smoke and some of the others slept.

It was midnight when a guard awakened him. He pointed silently down the mountain. Looking where he indicated, Smoke saw a point of red against the blackness, near the foot of Cayuse. Off at the side a little was a second dot which seemed to run like spilling blood even as he watched it, and on the other side, another.

Nor were these all. More were springing up like phantoms of a nightmare. Wherever they looked now could be seen flames, low down around the base of the great hill, but rearing like an unbroken mustang. The piney tang of wood smoke was rising faintly to their nostrils.

Smoke raced off to the side where he could look down on the opposite slope. Here, as everywhere below, it was the same. Leaping flames which, spreading steadily in the tinder-dry timber, were closing all gaps, surrounding the mountain with a solid ring of fire.

The men beside him were watching stolidly. None of them had any doubts as to what this meant. The crew of the Turkey Track had been penned up at the ranch buildings, were beseiged and surrounded on all sides by a superior and vindictive force. They could, of course, barring accident, hold out there indefinitely, waiting for a lucky break—so long as they had water.

With the water shut off, they would be forced either to surrender or charge out in a battle to the finish. It was war, directed by a man trained for war who was utterly ruthless now.

With the others penned up, the Benders had been able to fire the whole base of the mountain. Evidently they had figured Smoke's crew too strong to attack, when this method would be more effective.

SUCH gaps as had existed in the wall of flame were all closed now. And against the spreading glare in the night sky, a red light already reflected dimly up here. In it, Smoke could see the grim faces of his companions.

"I'm glad we let the horses go," one muttered. "With the reins tied, they'll be off the hill, hours ago."

The fire was burning steadily on all sides, creeping up the slopes. Below the slopes of Cayuse there was no timber worth the name, and the fire would not spread outward. But, timbered almost solidly as the whole hill was, nothing could stop the fire until it had spread over the whole mountain.

Which, Smoke judged, would mean two things, both bad. Sooner or later the fire would eat away the stilts holding the big water flume, shutting off

the supply down at the buildings. They were powerless to stop that now. Of more immediate concern to them was the fact that, if it kept on to the inevitable end, it would leave them no place of refuge.

There was a small open space, here on top of the mountain, but it was not big enough to afford any protection from such a fire as this. They might submerge themselves in the springs as a last resort. But, if they stayed alive, they would be like ants on a bare stone, once the hill had cooled, a handful of men exposed to the pitiless gunfire of the Benders.

"How long do yuh reckon we got?" one of the men asked.

Smoke had been watching the fire thoughtfully.

"Probably reach us in three or four hours—mebbe sooner than that."

"Likely to, all right. Jest a little before dawn."

"When it comes, what do we do? Make muskrats of ourselves, or what?"

"Guess we'd better start a back fire," Smoke suggested. "Get a few acres burnt over and cooled off that we can stand on."

He had hardly finished speaking when he knew that it was too late for that. Fire generates wind, but it was not the fire alone which brought the sudden raging gale which swooped down upon them, and seemed to envelope the whole mountain like an inverted funnel.

This struck with a rising howl, the keening moan of storm. There would be snow behind it and cooler weather, but that might be hours in coming, and certainly it would be too late to do anything against the fire. Now struck by the wind, the blaze had suddenly sprung to a raging red fury. Trees, burning steadily but quietly a moment before, were now crowning. Sparks began to fly with incredible speed, and even as they watched, new blazes appeared.

Within five minutes the fire had advanced a quarter of a mile. It seemed as though the whole of Cayuse was aflame all around them. In another few minutes it would engulf them, and the distant beat of the heat was rising up to them like a breath from a fiery pit.

"Look!" One of the men pointed, gasping. "We're trapped!"

Already, due to a freak of far-flung brands, a new line of fire had started, between them and the springs. Even that hope of refuge was gone now.

CHAPTER XIII

Phantom of the Flames

RED glare painted the night-sky. A pit of it miles in circumference and half a mile wide, with flames racing up the mighty trunks of trees and leaped nearly two hundred feet into the air, and seemed to send a crimson tide of light straight up to the lowering clouds, making it as light as at midday.

Those weaving, billowing clouds were beginning to cause discomfort, even here where the howling might of the windstorm wrenched them away as they arose. Soon, as the fire leaped to the last point of the hill in a mad orgy of consumption, the smoke would become a torment. Before that happened, however, they would be burnt to crisps.

Smoke clenched his hands, staring into the thickening pall with bloodshot eyes. He stared at the line of flume, stalking on giant stilts across a dip in the shoulder of Cayuse, walking out toward the lowlands.

"It'll bring that down, pretty soon," he muttered.

One of the men beside him shook his head.

"Not much danger of that, I guess," he muttered. "What with a lane cut through the trees, and all them braces that hold the flume up, bein' fire-proofed wood, they'll be safe enough."

Smoke whirled on him, sudden hope pricking into his brain, which for a minute had been half-numbed by the speed of events.

"Fire-proofed, did you say?" he barked. "Yuh shore of that?"

"Shore, I'm shore! The Baron sent a thousand miles for the stuff, and I helped paint all them poles with it. They won't burn."

Smoke Marlow stared, panting a little. It was a gamble—a desperate one, but it might work. The flume, for the most part, here at the dip along the hill, was from a hundred to two hundred feet above the ground, running that way to the foot of the hill.

On each side trees had been cut away when it was built, leaving a twenty-foot cleared lane. Too narrow to do any good in escaping from the fire, but, set so high up, with the lane for protection and fire-proofed, the water flume probably would not be harmed.

Up there, the flume ran like an elevated sidewalk, to look at it from below. Smoke knew that it was some four feet wide, of heavy planks, with sides four feet high. Ordinarily, as now, only about three inches of water ran along the bottom of the flume, sufficient to water stock and buildings comfortably and prevent danger of freezing in cold weather.

There was more than sufficient water in the springs, however, by opening the water-gates, to fill the flume full to the top, and still not seriously lower Cayuse Creek. The flume had been built big so that water could be used for irrigation when needed.

But at a few points the flume above was not so high—not over fifty feet. And at intervals the poles which carried it had rungs nailed on so that a man could climb up. Smoke had a lariat slung over his shoulder, which he had caught up back at the cabin. It might still be possible to reach the flume ahead of the blaze. It was their only chance.

"Come on," he yelled. "If we can climb into the flume, we'll be all right."

The others were following him as he raced toward it. He forced his way desperately through a thick tangle of underbrush which seemed determined to hold them back.

BY day, with no great need for haste, it had been easy to find passable trails. Now, in the night and the choking smoke, with life itself spelled out in minutes, everything seemed conspiring to hold them back. One man slipped, fell. Smoke jerked him to his feet and fought forward.

From where they stood now, a slope of the hill hid the fire itself from their view, but they could hear it plainly—a crackling, ominous roar which seemed to shout, the gigantic popping of mighty trees in the grip of the terror, the high crackle of flames rising above it all. Even the keening of the gale had been blanketed as though it was but a whisper.

Another hundred feet. Could they make it? Here, years before, a windfall had tangled trees like toothpicks, and through this half-rotten formation new growth and brush had sprung up. There was no time to go around, to pick a better path.

They burst out, finally, to the cut-over lane, peered frantically upward. The flume, here, wasn't much over seventy-five feet up, yet it was hard to see it in the rolling clouds of smoke. Luck, of a sort, favored them now. Ahead was one of the big braces—four strong poles which seem to reach up to those flame-tinted clouds and between two of them, sturdy rungs had been nailed.

PANTING, choking, Smoke yelled hoarsely to the others to come on, to climb. He stood there, counting in a kind of mechanical daze as they scrambled past him. None of them had been lost back in that inferno, at least. But of the wounded men, only two could manage to climb unassisted. The third must be helped.

The others seemed to have forgotten him. Smoke yelled for help. With Smoke pushing from below and another pulling above, they got the wounded man up, a rung at a time.

It hadn't seemed far, from below. Now, half way up, it was as though there was no top to this ladder in the sky. The smoke, by now, shut away all vision, save in such moments as the wind snatched at it, whipping thin ribbons into view only to have them gone again like a bad dream.

Something cool touched his hand, then the weight of the wounded man was gon , lifted suddenly, and Smoke climbed over the top of the trough, dropped down for a moment into the water coursing smoothly along the floor of the flume.

The shock of the icy spring water was a reviving tonic, but he sprang up, gasping a little, clutching at the side of the flume to steady himself. The water rushing along here wasn't deep—hardly three inches. But it came with a rush which threatened to sweep his feet from under him, and the mossy, slippery bottom was treacherous.

The others of the crew were ranged above and below, some of them straddling the sides, others standing inside and hanging on. The smoke seemed as dense as ever, except, head lowered between the sides of the flume, it was possible to breathe.

For the first time in minutes, Smoke was able to look around as the wind cleared the air. Behind them, the spot where the cabin had stood was a flaming parade ground, the fire had raced all around the springs, was still burning to some extent back there. Only the water continued to gush forth unchecked, the only mark being occassional blackened sticks in the stream.

Farther down the hill, the big blaze still marched toward them. For a little while, however, down the hill, the gale seemed to have slackened, and the flames were not spreading so fast. At that rate, it would be a matter of from a quarter to a half an hour before the last great section, including the spot where they now were, was burnt over.

Up here, now, instead of howling from all points of the compass in turn, as the wind had seemed to do at first, it was settling to a steady blow from the north-east. The effect of this was to whip most of the smoke away, giving them a more or less unimpeded view for a considerable distance.

The red glare still rolled to the clouds, to be reflected back like an angry sun gone mad. Suddenly, one of the men beside him gave an exclamation.

"What's wrong?" Smoke asked.

The cowboy was staring, eyes bulging, his face as pale as the drifting ashes in the wind. Smoke knew him to be ordinarily as cool and unemotional as the gun he carried at his hip.

"Up there, toward the springs," he pointed. "I saw a man—right out there, lookin' at us!"

"Yuh must be crazy, Ike," one of the others protested. "There ain't anybody there now—and besides, nobody could be there."

"Jest the same, I saw him," Ike protested. "Plain as day—him or a ghost. It was that damn Harley Davids from the Moon!"

Harley! But Harley was dead. Smoke had seen him shot down before his eyes. Ike must be crazy.

From under their feet a rumble seemed to sound. While they stared, bewildered, Smoke felt a stronger suction at his feet. Suddenly he understood.

The water was deepening—deepening with a rush. Someone was up there—someone from the Moon, who had sneaked up, remained in the springs while the blaze fanned across there, and who now, was opening the flood-gates—sending the full power of a four-foot torrent of water down through the flume at them! A wall of sweeping power which would jerk them helplessly off their feet.

CHAPTER XIV

Phantom Lead

MARLOW had crossed many mountain streams in his day, going by horseback and on foot, but he found the tug of the deepening current was appalling. The ordinary creek could be comfortably forded, even in rapids, when it arose to one's thighs, but this— Smoke wondered.

Already the water was twice as deep as it had been at the start, and coming faster with every passing moment. One of the wounded men gave a yell, then he was caught in the current, being swept down with a rush, rolled over and along like a chip.

To leave him so would mean his speedy death. Smoke let go his own hold on the side and plunged after him, and the others followed. For a moment it was nip and tuck whether they could overtake him or not, for, handicapped as the cowboy was, half-drowned already in the smothering pull of the icy current, he was helpless to regain his own feet.

Then, splashing after him, Smoke managed to reach down and grab his collar. With his other hand he clutched the side of the chute, and the resultant pull of current at both of them, all but tore his feet from under him. A moment later Ike was beside him, helping, and between them they lifted the injured man to his feet.

One thing was clear now. They had to get off that chute, and get off it in a hurry. Every moment would find more water coming down, until it reached its maximum capacity, and to cling there then would be out of the question. It took a matter of minutes, with the flood gates open at the springs, to fill it to the top. But those minutes were racing as though to beat leaping flames and roaring water.

One other thing was against them now. They were two hundred feet down-flume from the ladder, and it was still farther on to the next ladder. To try and go back, against the current, was out of the question. To go on would take too long, with the probability that some of them would be caught off balance and swept on by.

Smoke Marlow shouted, his voice hardly more than a whisper above the turbulent mockery of the fire. Flames were below them, the blaze had caught up.

"We've got to get off here, get down. Or we'll drown like rats in a trap!"

"Down to that?" One of his companions gestured with mocking thumb, and all but lost his hold in the act.

"Down to that," Smoke Marlow nodded grimly. "Out of the frying pan into the fire. We've jest one chance. There's an axe, up at the ladder above. Fastened to the side of the chute."

He was already unfastening the loop of lariat rope from about his shoulder, shaking it out with one hand. It was not far to the ground at this point—something over thirty feet, due to a little hummock below. That, at least, was a point in their favor, for nowhere else on either side was it so short a drop.

There was a knot hole near the top of the chute, where Smoke stood. Thrusting an end of the rope through,

he managed to hang on, then to tie it.

Smoke knew his own responsibility. He was in charge, up here. More than that, he was the biggest man, the strongest of the bunch, and size would count in what had to be done. It was a case of do it or die.

"I'm going back up and get that axe," he shouted. "Then—I'll knock a hole in the side—water'll spray out and the rest of yuh be ready to slide down."

THOUGH he was roaring at the top of smoke-tortured lungs, he could barely hear his own voice. The others seemed to understand, though. They had formed a line, partly drawn up at the side of the chute, holding on, helping each other. They couldn't hold there much longer, though.

That water had the bitter chill of ice, and Smoke's feet and legs seemed numb already. The quickening pull of the current was increasing momentarily. It would be beyond human endurance to cling there for many more minutes.

Below, the fire raged like an inferno. It would be too hot to live down there, for half an hour yet, without a spray of water to help. He had to get the axe.

To walk, pulling himself back, hand over hand, would be too slow, if not impossible. Here was where his long legs had to come into play. Pulling himself up, he balanced on his hands, lifted one foot out, then the other—one foot on one side, the other on the other.

It was too big a straddle for comfortable walking, and a slip would either send him over the side or helpless into the current. The sharp rise of the flume made it twice as hard to walk, but it wasn't a matter of choice.

Somehow he made it. The axe had been fastened to the top of the chute with spikes on either side of the handle, the head protected in a sheath, left there for possible emergency if ice froze too solidly in the winter. Smoke wrenched it loose, jerked the sheath off, and prepared for the hardest part of his job.

Straddling the chute still, he began to swing the blade in long, powerful strokes. The top plank splintered, was gone for several feet. Already the water was up to it, and started splashing over the side.

But that wasn't enough. The next plank lower down had to come out, too. With the water already flowing over, and his place to stand made more precarious, Smoke worked away, unmindful of the splashing shower at every stroke. The axe was keen-bitted, and he worked with the strength of desperation.

A section of plank splintered, ripped away. Then a torrent of water a foot deep and increasing with every passing second, over a ten-foot length, was spraying off at the side and down in a plunging waterfall.

Almost instantly a torrent of steam came surging back up from the tortured earth, to be followed by a hissing, then a cooling break in the searing air. Steadying himself, he looked down, saw that the water was spraying a section nearly a hundred feet long by half as wide as it struck, then running in a stream on down the hill. Where it hit, the fire was out.

FARTHER down the chute, the others were sliding down the rope, dropping the half-dozen feet remaining to the ground. Heat beat at them in waves from the side, but water ran where they stood, the fall from above sprayed them. They were safe enough for the present.

Again the strong, steady current of the wind was sweeping the smoke away, clearing it so that it was possible to see a little distance. Cayuse Mountain smoked like a volcano in eruption. The clouds lowered just above their heads, a few scattered flakes of snow were starting to sift down. Beyond the red haze from the

fire, a pall of darkness semed to shroud the whole world.

Here, however, it was still as light as at noon, save that the fiery quality of it all suggested brimstone let loose on the world. But the last man was down, safe on the ground, and the fire couldn't touch them. Moreover, before dawn came, the storm would break and they would have a chance to elude the gunmen who would be waiting for them at the foot of the hill.

Something whistled by Smoke Marlow's ear. Startled, Smoke jerked his head around, to see, up at the springs, a man with leveled rifle. And this was no ghost, but Harley Davids himself.

Understanding came to Smoke. Harley hadn't been killed, back there the day before; evidently he had not even been seriously wounded. Harley Davids had known that Smoke had climbed Cayuse, and, driven by his consuming hatred of the man who had laughed at him, who had won the love of the girl he desired, he had come up the mountain, intending to shoot Smoke down from ambush.

It was plain enough that he had known nothing of the plan of the Benders to fire the mountain. When that had happened, he had been well up the slope, trapped with the rest of them.

But luck had been with him. He had been close enough to the springs to submerge in them and wait for the fire to pass over. When it became livable there, he had looked around, discovered Smoke and his crew, on the flume, and had turned the current in on them, determined to destroy them all to have his vengeance on Smoke.

With that failing, he still intended to kill, driven by the lust of a maniac. Now, even as Smoke whirled at the crack of the rifle, it spoke again.

That second shot probably wouldn't have been a miss. But Smoke's involuntary jerk at the first shot was as good in its effect as a rifle bullet. One foot slipped on his precarious perch, and the next moment he was flat on his back, down in the grip of the current, sweeping down the long trough.

His fall had saved his life, but it was likely that the ghostly lead which had struck him down would finish him. Grimly, he knew that he had just one chance for life. He still held the axe. Now he struck out, wildly, felt a thrill of hope as the blade struck deep. Desperately he clung to it, drew himself to his feet, swung one leg over the side of the flume.

The rope was only half a dozen feet farther down. Smoke got a hold on it, started down. And then, for a third time, the gun up above vomited flame and lead.

The watchers at the foot of the new waterfall saw Smoke's hands suddenly go lax on the rope, then he was plunging down limply.

AS the wind lulled, the smoke haze thickened again.

Smoke struck, sprawling on the muddy ground, slipped full length and slid for a dozen feet down the hill. Then he staggered to his feet again still holding the length of rope. For the bullet had cut the taut rope a few inches above where he gripped it.

Water was still pouring from the break in the chute, a life-giving stream which had run for a hundred yards on down the hill, damping out the fire along the cut-over lane, and where the spray reached from above, even the trees had ceased to smoke.

By now, the worst fury of the fire was over. It had swept in a madly destructive race over Cayuse Mountain, fanned by the raging gale, a desperate gamble on the part of the Benders to save themselves and win the range from Turkey Track and law men alike.

But it had failed of its purpose. The water still ran to the buildings, Smoke and his crew still lived. While many trees still flamed, the quicker burning branches were gone, and darkness, long

held at bay, was reclaiming its own. In this attempt it found an ally in the storm, breaking now in a sudden lancing of snow which choked the air and sent up a vast cloud of steam from the smoking hill.

His companions crowded around Smoke, a grim company, their faces blackened so that the eyes shone out as from masks. They had been face to face with death, had seen the red glare of its eyes and felt its searing breath on their cheeks, and it was still a little incredible to them to find themselves alive.

"I shore never expected to live this long, a couple hours ago," one man muttered. "I'da swore we didn't have a chance."

"We didn't." Ike grinned, a twisted smile which held no mirth. "But did yuh watch this big hombre's smoke? I can see now why they call yuh that, Smoke."

"Too bad this snow hadn't come in time to save the trees," another growled. "Me, I feel like fillin' a few of them Benders full of lead to pay for this."

"Guess we'd better be getting down to the ranch and doing a bit of that," Smoke suggested. "The way it looked, they may be needing our help."

"And they shore won't be expecting any—not from us." Ike's grin was ghastly in the closing gloom. "What them Benders'll get won't be what they're expectin', either."

Smoke led the way. These were fighting men at his heels, men who would be twice as relentless now as ever before. They were on foot, soaked to the skin, tired and hungry, and it was more than speculative whether their guns would work. But for all that they were formidable.

Stumbling down the mountain was mean work. Trees and stumps still smouldered, debris was everywhere, with the storm and steadily closing darkness against them. It was worse for the wounded men, despite their effort to carry them gently. When finally they had reached the bottom and passed beyond the burnt-over ground, Ike breathed a fervent sigh of relief.

"Me, I've heard considerable about hell," he confessed. "Used to listen to a preacher who could paint it so you could fair smell the brimstone. But shucks, he never imagined nothin' like what this was. If that smokin' hill was a fair demonstration, I could do without."

THERE would be no guards anywhere about Cayuse now. The completeness of the fire, and then the closing storm, would send every man of the Benders to close that circle about the buildings and attempt to draw it tighter in the gloom before dawn.

And the beginnings of that delayed dawn, with the storm now attaining the proportions of a blizzard, found them close to the circle. Moving like wraiths through it, they approached, to discover that the ring of steel encircling the buildings was a grim one. The Benders had captured the barns, though the Turkey Track and the law posse still held the big house and some of the smaller outbuildings.

In the welter of snow it was possible to move almost as they pleased. Their chief danger would lie in being mistaken for Benders and shot when they came to their own lines.

"We've got to get through, now," Smoke told his crew. "If we're caught out here by daylight, on foot, we haven't a chance. But along about now, if I know the Baron, they'll be getting ready for a surprise attack on their own hook. Maybe we can be a little help on that occasion.

"Right now, it's likely that quite a few from the Moon are in the barn, sleeping, or at least keeping out of the storm. Watch yore step, but we're going to call on them."

One man in the line called out guard-

edly, was answered readily by Smoke, and allowed them to approach him, unsuspiciously. Smoke's big hands were at his throat before he knew what was wrong, and by then it was too late to yell.

They found another guard before a back door to the barn, but he was as easy a victim as the other man. They had not counted on any attack from their rear, were not prepared for it at all. The eyes of their second captive grew big with terror as he recognized these men whom he knew had been on Cayuse.

Smoke pushed open the door, sidled softly in, the others at his heels, paused to accustom eyes to this deeper gloom.

From stalls not far to the side, horses moved restlessly, hot, damp odors arose. On the main floor some twenty men lay sprawled on piles of hay, wrapped in horse blankets. Two or three of them were beginning to stir as one man went among them, shaking them, waking them for a dawn attack.

A lantern, hung above their heads, shed a sickly yellow glow over the scene, and the shadow of the moving man stalked gigantically beyond it.

Back in the gloom, the mountain men watched for a moment, then Smoke crossed to a stack of guns and ammunition and helped himself, distributing supplies to his men. If their soaked shells should fail to fire, they would be ready for action none the less.

The others were rousing now, still sleepy, half-dazed by the weariness of the day before. Smoke stepped suddenly under the lantern, his men sidling to cover the others from all sides. One man rose up, came toward Smoke. The cowboy rapped him on the head with the gun-butt.

"We've got yuh covered, boys," Smoke said, and though his voice held a drawling note, it seemed to jerk the rest of the Benders wide awake on the instant, staring with whitening faces. "Stand up and reach for the roof."

Dazed, still staring as though they were seeing ghosts, the Moon Benders obeyed. His own crew moved swiftly, dextrously disarming and tying them. When that was done, Smoke considered briefly.

"I'm going to leave six of you here, Ike," he decided. "Keep an eye on these hombres, and if anybody wants to come in— let them. Yuh can give them a nice, sugar-coated little surprise party after they're in. The rest of us will see if we can do the same for some of those outside, without the sugar."

MARLOW stepped outside, to find a gun thrust into his face. His own weapon was in the other man's midriff at the same moment, his head twitched aside. But with finger already starting to squeeze the trigger, he managed to stop it. The man with the gun was Gimball, with several of the Turkey Track and the law posse behind him.

Smoke spoke fast, and the other guns were lowered. The Baron, appearing out of the curtain of storm, stared in amazement.

"We thought you fellows were all dead, up on Cayuse," he exclaimed. "But at that, it looked like we were having too easy a time, slipping up this way."

"Why the blazes didn't yuh drill that bloodhound?" Ike demanded of Smoke, a little later. "Yuh shore had plenty excuse, and that was too good a chance to miss. If he'd known who you was, a time like that, he'd of emptied his gun."

"Mebbe," Smoke agreed. "I don't do things that way, though."

Ike spat.

"I like yore ways, usual. Seems like yuh get things done, but dang it, when yuh get a chance to step on a rattler, step hard, is the way I—"

Somewhere a gun boomed, breaking the long silence. As though it had been a signal, others took up the grim

refrain, running around the circle of invaders—or almost around it. There was a break.

"Come on," Smoke exclaimed. "It will only take a handful of us, but now's the time to strike."

Muttering to himself, Ike was stumbling along beside him, with several others at their heels.

"Me, I was hopin' for breakfast, not bullets," Ike growled. "Here we spend hours in gettin' through their line, and then rush to get back like we was afraid mebbe we'd missed somethin' out there. Oh well, it's a nice life if yuh don't choke."

They were through the gap now, behind the Benders. By this time, Trask's men were discovering that something was wrong—that some of their men were mysteriously missing, their lines broken.

Abruptly they had been placed on the defensive.

This was showdown. They had to win or lose today, and the stake on the board was everything. They had placed their all in the pot. Gathering for a charge, a line of horsemen came sweeping suddenly out of the storm, with glittering guns belching yellow flame.

Coming, to be met by a leaden hail that decimated their ranks, though others, driven by desperation, closed the gaps and came on. Smoke emptied his gun, saw one man almost upon him and recognized the hate-filled face of Harley Davids. Smoke read the fanatical rage which drove Davids on.

Harley's gun was centering on him. But in that moment Ike fired. Harley's bullet tore through Smoke's sleeve. But Harley was already pitching out of the saddle as he pressed the trigger. And this time, Smoke knew, listening to Ike's triumphant chuckle that *that* was the way to do it.

It was no superficial scratch, but a bullet square between those hate-filled eyes.

CHAPTER XV

Betrayal

UNDERNEATH fires still smouldered although the smoke of battle had mostly drifted into the limbo of lost things. The Benders had withdrawn, but they had gone as a compact group, not far and still undefeated. With their ranks thinned, their cause all but lost, they were still not ready either to surrender or to break and run for it. And out of such a situation, anything might develop.

So far, Gimball was not sure of him, but Smoke knew that he suspected who he was. If he remained, now, it would be only a question of time.

The old tradition of the Range of No Return was a thing of the past, made so by events of the last few days. Yet, if he lingered much longer, it would hold true for him.

Doubly true, for Gimball would never try to take him back alive. And with Harley Davids dead, his last chance to prove his innocence was gone. The thing to do, then, was to get away while he had a chance, under cover of the confusion which still gripped the range.

Flipping empty shells from his gun, reloading and holstering it, Smoke turned toward the big house. The long night was gone now, but the murk of the storm still held a tight grip, and a lamp cast its yellow glow behind shaded windows. It was time to be riding.

Riding with Pat — Smoke's heart warmed at the thought of her. There was a woman—such a woman as he had dreamed of in youthful fancies, meanwhile suspecting, in his secret heart,

that it was only a dream—that such a woman didn't really exist.

He had been mistaken. Pat was the embodiment of all the sweetness, the steady high courage, the fineness, that he'd hoped for. In addition, she possessed qualities which even his dreams had never encompassed. A man who would give up such a woman, when he knew that she loved him, was so much less than a man that he wouldn't be deserving of a chance for happiness.

Inside the house he found her, her face a little pale under the yellow lamplight, but ministering to the needs of several wounded men. She straightened at sight of him, came toward him. Smoke drew her a little apart, held her close in his arms a moment, then explained the situation.

"We'll have to be riding—now," he said.

Pat nodded, a tremulous smile breaking through the mask of doubt which had hidden her face.

"I was hoping you'd say that," she whispered. "I'll be ready in ten minutes, Smoke."

"I'll have the horses ready by then," he said. "Outside at the back."

She joined him promptly. Together they swung into the saddles, turned to look at each other.

"This is about the same as when we started out, a few weeks ago," Smoke said. "Only now we don't know where we're going."

IN place of rain, there was thick snow in the air. But Pat's smile was serene.

"Not the same, Smoke," she denied. "We know that we're going together, now."

There was one more thing to be done—to find the Baron and tell him of their decision. The Baron had been a square shooter.

Smoke and Pat found him a mile from the buildings, where a group of the posse and Turkey Track riders were gathered, discussing whether to go after the Benders and finish the job now, or if they should wait for them to make the next move.

"We've got to make it ourselves," Terhune was saying impatiently. "It never pays to let the other fellow get the jump on you." He saw Smoke, moved off to the side a little, and listened in silence to what he had to say. Then he nodded.

"I hate it like the devil, Smoke" he confessed. "But I guess that's the best way out for you. Once you get across into another state, you'll soon be forgotten. Though I'd like to have you stay here. This will be a new country—a white's man's country."

He stared toward the bulk of denuded Cayuse Mountain, its blackened slopes now cloaked by the storm, shook his head.

"Any chance of life that the rest of us have, we'll owe to you, that's a sure thing. Without, we'd be dead now, or headed for hell on earth. Better stay, Smoke. We'll all stand by you, when the showdown comes."

Smoke shook his head.

"I shore appreciate that offer, Baron. But I'm a man the law won't forget; they can't afford to. I've sort of thumbed my nose at them too much. And if I was here, I'd spoil the new start for all the rest of you. It wouldn't do, and it wouldn't be any better for Pat and me—maybe not so good—as fresh range somewhere else."

Knowing the truth of this, Terhune did not argue. Their hands gripped again, then, a dim figure in the gloom, Smoke saw Joan coming toward them, and at the white, set look on her face, he paused with one foot in the stirrup.

Joan Davids must have heard what had happened to Harley, but she did not have the look of one who grieved for her brother. Rather, it was as though she had made up her mind to a desperate course and was resolved to carry through, whatever the cost.

"Not leaving, are you?" she asked, almost casually, and her eyes shifted from Smoke to Pat and back again.

In the gloom, around them, both Pat and Smoke could sense the approach of others—some of them the posse, some from the Turkey Track. It was like a wolf-pack, drawing nearer at the scent of blood, yet lurking just beyond the circle, waiting for the kill.

Both of them knew what had happened, without fully understanding why. Joan had evidently seen them leave the house, had guessed their purpose. And now she had staged this so that the others would hear.

To Smoke Marlow, it seemed that her motive must be vengeance— a desire to get them in trouble for the killing of her brother. He had never quite understood Joan Davids, but that seemed the most logical guess. Only Pat, biting her lower lip, had a swift premonition of the real cause.

"Just riding to do a little scouting," Smoke explained, for the benefit of those around. But in the same breath he knew that the answer wouldn't do —not for Joan.

There was a half-mocking, half-defiant smile on her face now, as though it had been frozen there. Deliberately, she turned her back on Pat, came up to Smoke—so close that she could look into his eyes, and he could catch the faint, elusive fragrance which clung to her.

"I'm not interested in Harley," she said directly, as though reading his mind. "I expect that he got what he was asking for. But, I helped you the other day—or tried to. Up to now, I've tried to play fair, on this range."

JOAN DAVIDS' lips curled a little, half-mockingly, half in wonderment.

"It's been rather a new experience, for me," she added, so softly that only Smoke could catch the words. She seemed oblivious, now, of anyone else around them, though the circle seemed a little withdrawn. "I hardly know why I've done it, everything considered. But I have tried to play fair, Boots."

"I guess yuh've done it," Smoke admitted. He was still at a loss to understand what she meant.

"Thanks—Boots." The words held a tinge of mockery now. "Well, I did have my reason. I wanted to help you, if I could. Strange as it seems, you're the only man I've ever loved—and now you're aiming to ride away and leave me behind."

Something of the blinding truth, the tense peril in which they stood, was coming home to Smoke now. The effect was almost to stop his mind for the moment.

He had known that Joan loved him, she had told him so. Yet it had seemed to him that with her it must be more a passing fancy, a way of amusing herself, than anything else.

"I've tried to play fair," Joan added softly. "But it looks as though I was going to lose—that way." There was a sudden, desperate urgency in her voice now. "I'd like to keep on, playing fair, with you. But if it's a question of winning or losing—I'm willing to do anything to win."

It was a threat and a promise. Smoke Marlow's mind saw the situation with terrible clarity. If, here and now, in terms which could not be misunderstood, he agreed to give up Pat, to marry Joan, she would keep his secret. If he refused, she stood ready to betray both of them to the law—and Gimball.

From her viewpoint, she had everything to gain, and nothing to lose. So too, in a material way, did they, by accepting her terms, and she was counting on this to swing the decision for her.

Joan was not like her brother, to allow her emotions to send her on a blind, unreasoning course. Behind that pert little face were brains which moved as

smoothly as a well-oiled machine. If Smoke Marlow rode out of her life, she would have lost. But if he agreed, then, on this desperate turn of the cards, she would have what she wanted. He might not love her, but having him was better than losing him.

WITH Joan Davids now, it was the old law of the strong, to take what you wanted. The moment and the circumstances had placed the power in her hands. If you could not win for yourself, then destroy, so that no other might profit where you could not.

That was the way she figured it. Smoke's refusal meant that she would tell who he was, who Pat was. The circle of men in the gloom, waiting there, were close enough to hear, if she raised her voice. Gimball was there, and plenty of the posse.

That would mean one of two things —going back to prison and the noose, or death in a fight now. If he chose to make a fight of it, it would merely mean new trouble on the range. For the Turkey Track, almost to a man, would side with him if he started trouble.

Joan had figured all this. She knew that such a course would win nothing for him, and would lose everything for the Turkey Track. More, civil war here now would bring the Benders down upon them all in the midst of this strife—with bloody chaos at the end. That would mean that he and Pat would lose, and everyone else.

Against that certainty that he must lose, Joan had figured that he would accept her terms, as the lesser of two evils. It might be only half a loaf for her, but it would be better than none.

Smoke Marlow's jaw was grim, his eyes steady as he answered. He knew that Joan meant it, all the way. Which meant that this was the end of the trail, just when it had seemed to open out ahead, to offer new vistas in the brightening dawn. He shook his head.

"I'm sorry, Joan, honest, I am. But it happens that I love Pat."

Joan Davids looked up at him a moment, her eyes darkening with rage. She had made her play, and she knew when she had lost. But she could still play her trump card.

"I'm sorry, too, Mr. Smoke Marlow," she said, raising her voice. "It's too bad all around, isn't it?"

CHAPTER XVI

Death in the Dawn

GIMBALL was there, and Deputy Sheriff Foster, these, and half a hundred men of the law posse. And Joan, intending it so that it had seemed to her that Smoke must be forced to accept, had played her cards cleverly.

The possemen were scattered all around the circle which hemmed them in, mixed with riders from the Turkey Track. If Smoke tried to make a sudden break for freedom, some of them would be certain to try and stop him—above all Gimball.

And at such a move, some of the Turkey Track, such men as Jimmy Crofts, Ike, Baron Terhune, himself, would move to aid him. It was that situation which tied his hands.

For a moment, no one spoke, or moved. Gimball was too crafty and experienced a hound of the law to come forward now. Better to leave that to such men as Foster. The governor's representative wouldn't relish his job now, as much as a couple of days before. But he'd have no choice but to do it. Later on would come Gimball's chance; he had learned patience.

It was a new sound which broke the tension—one which, for a moment, though familiar enough, left all of them at a loss, staring undecidedly at one another. It came from the north, not far away, though all sight, for the present, was shut off by the storm. It was the bawling of cattle, a terrified, maddened note mingled with the distant rumble of hoofs.

Already the sound was growing louder, like the increasing growl of thunder. Every man present—understood. Cattle on a stampede!

The Moon Benders were making one last desperate, treacherous play in an effort to snatch victory from defeat. Probably they had been preparing this ruse for days, on the chance that such a weapon might be needed. Gathering the big herds of the Moon and such of the Turkey Track as they could round up in the confusion, holding them ready.

Now, some of their scouts had reported that most of the Turkey Track were grouped here, a mile and more from the buildings, the majority of them on foot, their horses held off at the side. It was the sort of opportunity the Benders had hoped for, and now they had moved swiftly to take advantage of it.

The cloak of the storm had aided. They had been able to move the big herd up, then had succeeded in stampeding it wildly down the long slope. In another minute the vanguard of that maddened rush of thousands of cattle would plunge into sight, spreading for a quarter of a mile or more in each direction. Sweeping everything before them.

Smoke Marlow's mind took it in and leaped ahead. The few of them who were mounted might manage to save themselves by turning now and spurring for safety. But for the others, those on foot, there would be no such chance. No time to reach their horses and still outdistance the stampede. And to hope to outrun the cattle on foot was out of the question.

Most of them would go down, to be trampled beneath those sharp hoofs. The few who escaped would be scattered, easy prey for the Benders.

SOME of the others, understanding, were starting to turn and run, panic gripping them as it had done the oncoming cattle, still invisible in the storm. Smoke's voice arose in a dominating roar, checking that impulse to flight.

"Stay where you are, men. It's your only chance. Bunch close, and shoot them as they come. Those of us on horseback will get in front of you, and we'll try and split the herd. Come on!"

He was leading the way, Pat and half a dozen others at his heels. Most of the men had stopped at his shout, were being rallied now by Terhune himself. It was a desperate way, but it was the only chance.

Two hundred feet beyond where the men huddled, Smoke stopped his horse, forcing it to stand, although it pawed the ground nervously. All the horses had scented the peril which thundered upon them out of the murk, were trying to turn and bolt, held back only by the grim purpose of their riders. They understood, as well as their riders, that a solid flowing wave of flesh could overthrow them, trample them into a pulp. Pat, her face white, was beside Smoke, a gun in one hand.

The herd was still invisible, though by now it was close. Despite the several inches of snow which padded the ground, the thunder of hoofs was joining with terrified bawling and the very earth seemed to tremble under the mighty impact.

Smoke Marlow knew that they had taken the best chance. To turn, even on horseback, and try to escape that spreading, terror-driven herd would have offered no better chance. But if only the storm would slacken, so that

they could see and be seen. In this gloom of hard-driving snow they were almost certain to be overwhelmed.

As though in answer to his wish, the storm did slacken. Now it was possible to see for a hundred yards, and out of that, coming like a rolling red wave, a sea of tossing horns and plunging hoofs, surged the stampede.

Fighting their horses to a standstill, keeping the wedge intact, Smoke was shooting, the others doing the same. He knew with grim certainty that those first few shots must be properly placed, not only to score hits, but to drop those massive longhorns in their tracks. Nothing else would avail now.

One steer was down, not twenty feet away. The wave was almost upon them. Two others dropped, and Smoke saw a fourth stumble and pile upon the first. He was grabbing at a second gun, seeing the line about to overwhelm the fallen and override the barricade.

By now, the horses had ceased to try and run and were huddled together for mutual protection, terrified by the approaching herd. The storm, in a sudden freak, had almost stopped, and it was possible to see much farther, but there was nothing of promise to see. Smoke's finger was working the trigger automatically.

One massive steer, wounded, bawling, charged straight at them, mad with terror and pain, anxious to vent his spleen. Smoke saw him almost upon Pat, blasted the big beef to its knees with another shot, saw it roll over and lie, adding to the mass of dead cattle.

By now there were a dozen dead animals piled in front of them, and then, at the last moment, the thundering herd split, a wave flowing to either side. Now they were engulfed on three sides, but an open lane reached behind them, and the men on foot, shooting desperately now, were building up a fresh barricade on the sides as the herd automatically swerved from outside pressure, toward closing in again.

FLIPPING out empty shells and reloading, Smoke found that, despite the chill of the morning, he was sweating. He drew a deep breath, looked around.

The herd had definitely split here at the barrier, was coursing smoothly past on either side. Already the solid press of bodies was beginning to thin a little.

The storm was over and with startling abruptness the air was almost clear. Two men rushed out a little way from the group, caught up something and carried it back. The shapeless, trampled thing had once been a man who had lost his head in that first press of terror at the destruction thundering down upon them.

Only by his clothes could he be identified. But the green shirt, torn and bloody as it was, could not be mistaken in that group. This was what remained of Gimball, the man-hunter.

Men were staring down in silence as they carried him back, making no comment, then looking off to the herd which, still hemming them in, was fast thinning now. Pat had taken a quick glance, then resolutely looked the other way.

The daylight, pressing hard on the heels of the fleeing storm, was revealing now. They could suddenly see for a mile or more. The gradually swinging herd would miss the buildings of the Turkey Track, would gradually run themselves out. And in the distance, off the other way, the men who had let loose this grim weapon of murder, seeing it a failure, were turning now to ride. They scattered as they rode, knowing their cause lost and not caring to face the fury of these men who had stared in the face of such a death from their hands.

Some would be hunted down, overtaken. Others would get out of the country, wanted men on a new Range

of No Return, but here their power was broken.

Smoke turned to look at Pat, trying to smile, then jerked around, the short hairs at the base of his scalp prickling. Off in the distance came a high, shrill scream of terror—a woman's scream cutting across the fast-spreading day. Looking that way, Smoke's blood seemed to freeze in his veins.

A quarter of a mile away, some of the still running, terrified cattle had swerved from their former course. Just what had caused them to turn—a jumping rabbit leaping up suddenly in their path, or a glimpse of that desperately fleeing figure on foot, and the instinct to give chase—that was of no moment now. They had turned, were bearing down like the rush of doom itself upon Joan, who was trying frantically to escape. Even as Smoke plunged in the spurs, he saw her stumble and sprawl headlong.

CHAPTER XVII

Trail's End

FROM the first, Smoke knew that he rode a hopeless race. He had more than twice as far to go as the vanguard of the herd, and the best that his horse could do, under such circumstances, was not good enough. Unless Joan could get to her feet again and keep going. That way, there might be a chance.

She struggled up, trying to run, only to sink hopelessly down again, evidently with a wrenched or broken ankle. But those few staggering steps were not enough to help.

Smoke's gun was out. He heard her scream as the first steer reached her and kept on running. The second dropped as he fired, but others surged on in that frenzied wave which nothing could swerve.

Behind, other riders were coming, but they were too far back to be of any help. Forcing his horse among the cattle, Smoke jumped down, was almost knocked off his feet by the impact of a steer plunging by, and as he staggered, a second struck him, threw him sprawling. Above were more of those relentless hoofs, bearing down upon him, knife-sharp, and red bodies looming gigantic above.

The big cowboy rolled, twisting, his gun flamed again, and as a steer staggered and went down, he managed to evade being caught by the falling body, to be sheltered by it. Dragging himself to his feet again, he had caught the limp body of Joan up in his arms, dragged her back to that half-haven where the few remaining stragglers were splitting to avoid the sprawled body of the dead steer.

He had reached Joan, as he would have tried to reach anyone else in similar plight, even Gimball himself. Though in this case something stronger than mere humanity had driven him. Joan had betrayed him, a few minutes ago, giving him up to the law and its doom, because she hated him and was jealous of Pat—but that hatred was born of love, and she had tried to be his friend. Somehow, he felt that he owed something to her.

Holding her in his arms while the press of plunging cattle thinned and was gone, he knew that he had been too late. Her face, molded in beauty, was still miraculously unmarred, not even scratched. But her body had not fared so well under those mercilessly trampling hoofs.

The others were around them now, and it was Pat who took swift charge, dropping on her knees in the bloody, trampled snow. To Smoke's amazement, Joan's eyes fluttered open. Her

lower lip caught between strong even teeth in a gesture of agony, then, meeting the eyes above her, she managed to smile a little.

"Pat!" she whispered.

"Joan!" Pat's voice was a sob. "Oh, Joan! I'm sorry."

"After what I've done—to you?"

"You'll be all right, Joan."

"No, I won't see the sun again, but it'll shine through soon." She turned to Smoke, biting her lip again, seeming to forget Pat and the others as well. There was something pitiful, pleading, in her eyes. "You hate me, don't you, Smoke?"

"No," he denied. "I don't hate yuh, Joan."

"I wish you did." Her voice was wistful.

"Don't try to talk."

"Talking won't hurt me any, now. And I've got to talk. To stop Gimball—from winning."

"There's nothing to worry about from him. He was caught by the stampede at the start."

"But there's the law left!"

THERE was a look in her eyes which made Smoke want to turn his head away, but he could not. Her voice was stronger.

"But the law isn't going to get you, Smoke. Not for something that you never did in the first place. Have Foster listen to this, Smoke, so that they'll get it straight. I killed Nick Weber."

Smoke stared at her, incredulously. He saw the same unbelief in the eyes of the others around them.

"Now, now, Joan," he soothed, as to a tired child. "Jest because yuh're—yuh're hurt, don't try to help me out that way."

"I'm dying, Smoke. I know it. And so it's time I told the truth. I did kill Nick Weber." A tide of color stained the paleness of her cheeks, but her eyes were steady. "You see, I—I've always been an adventuress. And when Nick Weber came along, and Pat wouldn't look at him—well, I wanted his money, and I figured I was just as lovely as Pat."

This, Smoke Marlow knew, was the stark, bitter truth. Pat had told him as much. But now Joan seemed to be beyond caring.

"He laughed at me, turned me down. But after Pat had escaped, I—I hated him! He'd scorned me, laughed at me. I took Pat's little pistol—it was the only gun I could get hold of at the time—and I started out on the hunt, too. The others were searching for Pat, but I was after Nick Weber. And I found him—in that little cabin where they found him later."

She was silent a minute. A grim interval in which thoughts ranged back to that wilderness cabin and all the tragedy which had sprung from it. Then her hand reached out, groping a little. It was Pat who moved Smoke's hand, understandingly, to grasp it. Joan sighed, went on.

"Nick thought I was Pat, when he first saw me there, and he was terribly mad when he found I wasn't. I'd intended to try and bargain with him, when I found him. But he was going to choke me, kick me—so I killed him."

Her voice was weaker, now. A shudder passed over her, and Smoke saw the sudden blanching of her cheeks from the shock of pain. For a moment she lay with eyes closed, breathing heavily. Then she opened them again.

"That's the truth, Smoke—it's not only a dying confession, it's the truth. After that I played the only game I knew. When they arrested Pat, I was rather glad. She had been able to get what I wanted—she always has. It seemed only justice if she was to get punished. I never would have confessed to save her."

AND that too, was the truth—stark and unvarnished. If there had

been any doubt in Smoke's mind, or in the minds of Joan's other auditors, that one statement dispelled it. Foster stood up from where he had squatted on his heels, drew back a little, with instinctive delicacy, and the others followed his example. Only Smoke was left with Joan, and as her eyes opened again, they were suddenly pleading, with a stark fear in the back of them. Her fingers tightened convulsively on Smoke's.

"Oh, Smoke, I—I'm afraid. It's getting dark. Won't you—hold me in your arms, Smoke? I've hated you, tried to destroy you, but—"

It was an appeal which he could not resist. He gathered her in his arms, as gently as possible, while another tremor shook her racked body. She lay quiet a moment, then her eyes met his again.

Something of the iron which had still lingered in Smoke's soul, from those long, bitter weeks in the courtroom and prison, a hate that even Pat had not been able to quite wash away, broke now and was gone in pity. Joan too, belonged on this range. She was of the same wild, desperate blood as the others who had ridden hoot-owl trails and lived to repent with bitterness, and for her, like them, this was the Range of No Return. He stooped, bent his lips to hers.

For a moment, Joan's arms tightened convulsively about his neck, her lips seemed to be trying to whisper something against his own. Then she sighed and he left her body go limp in his arms. But there was a smile on her face as he laid her down.

THE sun was breaking through the clouds, spilling a warm glory over a land which seemed bright with promise, after the long night. Even the blackened, denuded bulk of mighty Cayuse Mountain was white and glistening with new-fallen snow.

The stampede was over, the cattle having run themselves out and, terror ended, were settling down now to rest. Those who had been responsible were still riding, those that could, with something of the terror of the stampede transferred to themselves.

Baron Terhune and his men had struck, swiftly, at the beginning of the rout. And because of that swift, sure stroke, only a handful of the Benders would ever ride a new range.

Most of them, surprised and trapped, had surrendered with broken spirit. A few, knowing that for them neither the Turkey Track nor the law would have mercy, had fought it out and stayed with their range. Among them was Felix Trask.

"Reckon that's the best way out of it, all around," Deputy-sheriff Foster said later. "Of this crew we've rounded up, the worst that any of them'll get will be a few years at the big pen. The bad ones are finished, and that's the way they'd have wanted it. Some men are like some horses—born with a wild streak in them, and you can't ever break it out of them.

"Take horses. Some'll raise the very devil and all at the start, but show them that yuh're boss, and they're tamed. Others never can stand it that way. And men like Trask were the same. They'd rather be dead than curbed, or shut up.

"Right now, this is some of the finest country that ever laid outdoors, a white man's country—and for one, I'm willing to give credit where it's due. If it wasn't for you, Smoke, it'd still be Moon country—owl-hoot stronghold, and where the rest of us would be, I hate to think."

"Which brings us a new question, Smoke." It was the Baron who spoke, his voice as crisp and precise as ever. "This isn't the Range of No Return—not any longer. And as Foster says, it's some of the finest country that ever laid outdoors. It was good, before, but it'll be better now. And the country

in here is big. I hope you'll stay."

"I've got a ranch of my own, Baron," Smoke reminded him.

"Yes, I know." A faint grin twitched the Baron's military mustaches. "A thousand acres. The Turkey Track has a hundred thousand—and there's the Moon, just as fine a ranch as the Turkey Track, and just as big. Somebody's got to take it over, run it. It's too big a proposition for me—I've got all I can handle here.

"I was thinking that I'd a lot rather have a neighbor I could trust, for a change, than risk having another man like Trask get in. You never can tell what a man's going to turn out to be like, till you'd tried him out, ridden the range with him."

SMOKE MARLOW'S eyes kindled. It was a great country—such a country for cattle as he had dreamed of. And to be neighbor to a man like Terhune—

"Trask never did hold legal title, Smoke," Foster said, "but I came in here with authority from the governor to clean this range up, and make the best settlement of things I could, so it'll stay that way. He'll take it up with the federal authorities to see that the Turkey Track doesn't suffer for playing square. And since somebody has to take over the other—well, this would still be owl-hoot range, like I said before, if it wasn't for you.

"Added to that, the law will be glad to try and kind of make it up to you for unjust prosecution. So if you say the word, it can be fixed up."

"He'll say the word," the Baron nodded confidently. "This is the sort of a range that a man like Smoke belongs on—where he has room to do big things."

Terhune paused, then turned, grinning, to the deputy.

"Look at that. He hasn't even heard us, and he's walking away as if we didn't exist. And you can't blame him. Run along, cowboy. I can see where Pat's waiting for you, over there, and what's a hundred-thousand acre ranch, when there are really important things to think of. By golly and old shoes!"

"What now?" Foster demanded.

"I just happened to think, speaking of important things. And all these extraordinary powers you have from the governor, I reckon it wouldn't be stretchin' your authority none to perform a wedding, would it? Doggone, I do get an idea once in a while. Guess we'd better go around and tell the boys to tune up their fiddles and Pearl to supervise the cook on makin' a big cake!"

"Yeh!" Foster chuckled. "This Moon ranch'll be startin' in a new rôle —sort of a honeymoon ranch this time, looks like."

SLOW FIRE

The dead men lay stretched on the floor.

Grim Guns Spout Death and Two Deadly Sidewinders Roll in the Sawdust as Frank Armstrong Makes the Slowest Draw in the History of All Time!

By BERNARD BRESLAUER

Author of "Figures Don't Lie," "Gunless Gunner," etc.

JERRY MALONE, old-time foreman of the Diamond X spread, and Hank Beck, top-hand, stood outside the ranchhouse, blew their noses noisily and furtively wiped their eyes. Inside and uptsairs, on a four-poster bed, lay their boss, Dave Armstrong—the best boss a puncher could ever have; now he was dead.

"The old man whispered his last words to you," Hank said. "What did he say?"

"The old man had no kin but one," the foreman replied gruffly, "his grandnephew, Frank. It's him the old man left the spread to, an' took mighty little pleasure in doin' it."

"What kind of an hombre might he be?"

"Ornery. The old man says to me:

'Malone, there's one man I'd ruther have left my all to, but yuh wouldn't have it so. Jerry, I'm a-thinkin' yuh'll be wantin' to leave the Diamond X when I'm gone. Don't. I'll rest easier if I know yuh're still workin' fer what was once mine. Keep an eye on that heir o' mine. Keep him wetted down. Otherwise he'd just as soon stir up a range war as not.' "

"Funny," Hank Beck murmured. "The old man was such a peaceful gent. Funny he should have a fire-eater fer kin."

The two mourners walked moodily to the corral fence and perched themselves upon it. "This spread won't seem the same," Jerry muttered. "It won't *be* the same. Damned if I haven't taken a dislike to our new boss without never havin' clapped eyes on him. Incidentally, he's due here this mornin'."

"Mebbe that's him a-comin' now."

A stranger rode up the ranch road, saw the two men perched on the fence, dismounted and walked over to them. Two things they noticed about him—he was big and he was red-headed. They had a feeling that it was their new boss.

He stared at them coolly and said pointblank: "Busy as hell, ain't yuh?"

The two stepped down.

"I'm Frank Armstrong," the newcomer said. The way he said it, it sounded as though he had announced that he was the president of the United States.

"I'm Jerry Malone, yore foreman," Jerry said. "This here son-of-a-gun is Hank Beck, top-hand. As fer our settin' on the fence doin' nothin', I reckon you kin fergive that, seein' as we so recently closed yore dead uncle's eyes."

A SHADE passed over the newcomer's face—perhaps it was sorrow—but he quickly hid it, like a man who does not like to show emotion.

"One of you get my pony unsaddled right away," he ordered.

The two men stiffened at that. They were not used to taking such orders, not by a long shot. A foreman and a top-hand were not generally looked upon as servants by a spread-owner, but rather as co-workers. Hank was about to emit a hot retort when Jerry threw him a warning glance. He nodded.

"All right, Boss," he said lightly. "I reckon yore in a hurry to view the remains. Nice hoss you've got."

"Yore uncle was a good friend of mine," Jerry said, his eyes blinking. "He asked me to make yuh feel at home. If there's anything I kin do—"

"If I want anything I'll ask for it," Armstrong said shortly.

Dave Armstrong was buried that morning. Jerry Malone spent the next few hours showing his new boss around. After supper Armstrong called him in for a conference.

"Malone," he said, "who hires the men on this spread?"

"Me," said the foreman.

"Did my uncle let yuh do it?"

"I reckon so."

"Well, I'm here to tell yuh that yuh've made a rotten job of it."

Jerry Malone tightened his lips.

"They're mighty poor hands," Armstrong went on, "an' there's too many o' them. I've gone over the payroll. I want yuh to drop the last five yuh took on. Right away."

Times sure had changed, Malone thought. "Mister Armstrong," he said quietly—he had never called his old boss 'Mister,' just 'Dave'—"yuh mean yuh want *me* to fire them?"

"Shore. Why not? Yuh're the foreman, ain't yuh?"

"Mr. Armstrong, they're all good boys. We need 'em all. Even in slack time, they've earned their keep."

"From now on, Malone," Armstrong cut in, "I'm hirin' my own hands."

"Supposin' then," Malone said quietly, "yuh do yore own firin' also."

The two men looked at each other and the atmosphere of the room had suddenly tensed.

"Malone," Armstrong said, "I expect yuh to have 'em cleared off this place by noon tomorrow. The rest of this list needs prunin', but we'll let it go for the time bein'. The roll's too heavy.

"Now there's one thing more. Ridin'

range after yuh left me this afternoon, I saw some fresh cuts in the wire. Who owns the next spread?"

JERRY MALONE looked at the new owner narrowly before replying.

"The Circle M? Joe Stark. He did a little inheritin' himself a while back —from his paw."

"What kind of an hombre is he?"

"No good."

"Any of our cattle missin'?"

"Shore," Malone said coolly.

Armstrong sat up stiffly. "What? Yuh mean some of *our* beef is missin'?"

"Shore," said the foreman, still cool.

"Then they must have gone through those cuts in the fence," Armstrong snapped angrily.

"Shore," Malone said, grinning. "Unless it was the other way roun'."

"What in hell do yuh mean?"

"Stark claims some of his own cattle are missin'. That's his answer to our questions."

"Armstrong's face was flushed. "Yuh mean to tell me that Stark claims the Diamond X has been stealin' from him?"

"Exactly."

"Well, is it true?"

"Out o' respect fer the man we buried today, who was kin to yuh," Malone answered softly, "I won't knock yuh down fer sayin' that."

Armstrong laughed shortly. "I'm meanin' no disrespect. My uncle was a good man, but I reckon he took too much sass from his hired help. As fer knockin' me down, mebbe I'll give yuh a chance to try when we get this business cleaned up. Business first, pleasure afterwards. As I see it, Stark is makin' a claim to cover his own stealin'."

"Mebbe so."

"Well, what have yuh done about it?"

"Me? Nothin'."

Armstrong's face was suffused with a rush of blood. Jerry had never seen an hombre that angered so easily.

"I'll be damned," he burst out. "What kind of an outfit is this anyway! Yuh sit around an' do nothin' when yore cattle is bein' stolen an' yuh know who the thief is! What's the matter with yuh? Are yuh in the pay—"

"Wait a minute," Jerry Malone interrupted sharply. "No, we ain't in any cattle-stealer's pay, if that's what yuh mean. It just happens that yore uncle was a man o' peace an' didn't believe in stirrin' up a lot o' trouble unnecessarily.

"Yuh forget that in the eyes of the law, Stark's claim is as good as yores. Sheriff Brewster is handlin' this, an' I fer one ain't seen fit to tell Sheriff Brewster how to handle his job!"

"Then the answer is that yore sheriff is no good. Has he made any arrests since yuh turned the case over to him?"

"No, but—"

"Too many buts! Have any cattle disappeared since then?"

"A few."

"An' yuh sit idle! How do yuh know the sheriff ain't in Stark's pay? Yuh *don't* know. Yuh don't seem to know anything. Listen. First thing tomorrow mornin' I'm startin' to handle this cattle-stealin' outrage myself. An' yuh can count on it, somethin' is goin' to happen. That's all. Yuh kin go now."

JERRY MALONE found Hank Beck waiting for him outside.

"Malone," Beck said, "all the heart has plumb gone out o' me. I feel it in my bones that if I stick around here I'm goin' to kill that new boss of ours. So I'm goin' in there an' git my pay an' skedaddle."

"Not so fast, Beck. I know exactly how yuh feel, cause I feel the same way, but don't leave me here alone."

"I ain't aimin' to. Yuh're comin' with me. This outfit can skid on its way to hell without us. I don't want to be around to see what the old man built go to pieces under the ownership of that big red-headed lunk of a whippersnapper, an' I'm thinkin' you don't neither."

Jerry Malone shook his head. "I've got to stay, Hank. I promised. When this red-headed kin o' the old man tangles with Stark, there's bound to be trouble. The old man told me to ex-

pect something like this. He told me to stick an' keep the outfit together if it was at all possible. Besides, maybe Armstrong's bark is worse than his bite. I've tamed a deal o' killer-hosses in my time, so I reckon I might have a crack at tamin' him.

"An' there's another thing. He may own this spread, an' I'm jest workin' fer him fer wages, but I love this old place, an' I ain't goin' to set by an' see him run it plumb to hell because he's got a pepper an' salt disposition."

"All right," Hank Beck assented. "I'm stayin'. But I shore do miss the old man."

THE next morning, bright and early, Jerry Malone performed the unpleasant task of giving five good hands their last pay from the Diamond X. None of the boys blamed him personally, and they all shook hands with him before they rode away.

"I'll try to git you all back," he shouted, waving to them, then turned away feeling pretty miserable.

The red-headed fire-eater who was his boss managed to increase his misery. When he found out that the foreman could sign Diamond X checks he sent a messenger to the bank to have the privilege stopped.

"The damned wart hog!" Hank Beck exclaimed. "Heaven a' mighty, Malone, a promise is a promise, but yuh never told the old man yuh'd put up with anything like that!"

"No bones broken," Jerry Malone said, but his eyes were bleak. "Only this boss o' mine is uncommon lucky he's kin to the old man."

"Talk o' the devil," Hank Beck murmured.

Armstrong approached them. Looking at him, they had to admit that he was as well set-up an hombre as they had ever seen. And his face was pleasant enough when he wasn't angry. So far, unfortunately, he had been angry practically all the time.

"Yuh know," Malone muttered in low tones, "there's somethin' about our boss that puzzles me. I've got sort of a feelin' that he ain't really as ornery as he makes himself out to be."

"Saddle up," their boss ordered peremptorily. "We're goin' for a little ride."

They obeyed. When they were under way Jerry Malone asked: "Mind tellin' us where we're headed?"

"To the fence," came the sharp answer.

Jerry was silent until they reached the boss's objective. Armstrong dismounted and began dropping the hooks that were holding the barbed strands up. Apparently he was getting ready to invade the Circle M.

"Mister Armstrong," Jerry said, "when we go pushin' onto another man's land, carryin' guns an' without no invite, we're goin' ag'in local custom. There's hard feelin's between the two outfits already without givin' Stark an excuse—a damned good one at that—to pump lead into us."

Armstrong, examining the ground, paid no heed to his words. "Either he's just plain dumb an' stubborn," Jerry thought, "or he's got nerve an' plenty of it. But so far it's hard to tell which."

"Malone," Armstrong said, "are these here cattle-tracks leadin' from the Diamond X into the Circle M?"

"Mebbe," said Malone soberly. "Might a-been one o' Stark's own cows walkin' onto our land backwards."

Armstrong looked up at him suspiciously. "Malone, yuh're a fool!"

"I agree," said Jerry Malone calmly. "I'm a fool fer trespassin' like this. So are you, but I don't expect you to listen to me."

They rode on, following cow-tracks that led nowhere. Malone suddenly let out a warning grunt. Hank Beck followed his gaze.

"Joe Stark," he murmured.

"Right."

THE rider came slowly down the slope. As he drew near the look on his face was not pleasant to see. Jerry Malone and Hank Beck wondered what Armstrong would do now. They were not left long in doubt. As soon as Joe Stark, lank, dark-skinned and scowling, drew up, Armstrong told him who he was.

"Can't say as I'm pleased to meet yuh," Stark said, cold as an icicle.

"What business have Diamond X men on my land?"

Much as Malone and Beck disliked their neighbor they had to admit to themselves that he was in the right for once. They were interested in seeing how their new boss would handle himself in this situation. They didn't like their new boss either—he was too different from his uncle—but if young Armstrong had courage they were prepared to forgive and forget a great deal.

"My business," Armstrong said flatly, without turning a hair, "is a matter o' stolen cattle an' I'm aimin' to find out who stole 'em."

At this brutal statement Malone and Beck had the first quiver of liking for him they had experienced since he had come to the Diamond X to step into his uncle's boots. Eyes alert, they saw Stark turn his horse so that its right side was free and clear.

"Yuh're trespassin'," Stark said, "an' yuh're got just one minute to start gittin' back to yore own land—"

Armstrong's hair was red—his temper was redder. It seemed that he couldn't stand big talk unless it came rolling off his own tongue.

"Why, yuh damn sneakin' thief—" he started to shout.

Malone and Beck heard the words with amazement and incredulity. But their amazement at the words was as nothing compared to their amazement at what they next saw enacted before their eyes. Armstrong went for his six-gun. That was understandable enough. A man didn't speak such words without being prepared to take lead in return for them. But the *way* he went for it.

There it was, hanging right against his thigh. There was nothing between it and his hand but air. Stark's own gun-hand was resting on the pommel of his saddle, twice as far away from his own weapon. Yet, despite that glaring disadvantage, Stark's gun was up and leveled before Armstrong had even touched his.

"Drop yore guns, all of yuh!" Stark rapped. "Yuh come sneakin' over on my land an' then try to throw down on me! Get to hell off my land now an' stay off. An' the next time you try trespassin', Armstrong, I won't hold my trigger-finger back. Get goin'."

ALL the way back to the Diamond X, the pugnacious Armstrong was strangely silent. As soon as Jerry and Hank were alone, Hank burst out: "Did yuh ever see the beat o' that!"

Jerry Malone shook his head. "No, never."

"One thing I know," Beck went on. "Our boss has got no self-control. An' say, wasn't that draw o' his powerful slow?"

"Never seed a slower," Malone muttered, but he was thinking.

"I didn't think an hombre could be as slow as that even if he wanted to."

"Armstrong didn't want to. I was watchin' him. He wanted to be fast. Seems to me he just couldn't be. I've got an idea about that boss of ours, Hank. Somethin's eatin' him, been eatin' him fer a long time, an' I think I'm beginnin' to see what it is.

"By the way, Hank, you an' me is sleepin' in the hay-loft tonight. The boys are goin' to a dance in town an' they'll be gettin' in late an' noisy. Seein' the kind of boss we got, we need all the sleep we kin git, without interruptions."

"Hay-loft it is," Hank Beck agreed.

Which was how the two did in fact discover what was eating their boss. For along toward morning they were awakened by a stirring below and the sound of feet on the ladder. A shape heaved into view and walked halfway across the loft. It was Armstrong.

The two, unseen, watched him with astonishment. He was going through some queer motions. All at once he would grab for his gun. The first time it happened, Jerry and Hank instinctively ducked. But Armstrong was unaware of their presence.

Then they saw him studying the grip on his gun, and saw that his finger had fallen outside the guard. He put the gun back and looked around, as though to make sure he wasn't being watched. Then he made another quick grab for his iron again, looked it over, put it back and he said softly:

"Too slow."

In a flash, understanding came to Jerry and Hank. Their boss was practicing his draw! They remembered his slow draw on Stark. No wonder he needed to practice.

Grinning, Jerry and Hank continued to watch. Armstrong was trying for speed and making mistakes. Once the iron escaped his grasp completely and fell to the floor. They heard him cursing. After a few more minutes of watching they no longer grinned—that is, Jerry Malone no longer did so. To Hank Beck the sight was still amusing.

But they both knew that this new boss of theirs was one of those men who could never, never be either fast or accurate with a gun. Every time he tried speed something went wrong. When he went at it slowly and deliberately, the iron came up properly, except that it was a long time in getting there.

Hank Beck, who had less self-control than Malone, could not restrain a chuckle. Armstrong whirled.

"Come out of there," they heard his voice snarl.

There was nothing else they could do. "Mornin', Mister Armstrong," said Jerry.

"You lowdown pair o' sneaks!" Armstrong roared, his face on fire.

MALONE tried to explain how they had come to be in the hayloft but it didn't go over.

"Handlin' a gun quick is mighty important in these parts, Mister Armstrong," the foreman added quietly. "I'd be glad to teach you a little about it."

He meant well but neither he nor Hank Beck really knew just yet how touchy their new boss was about his gunning. Malone had begun to suspect it. Armstrong was dangerously calm now.

"Malone," he said, "another remark like that one an' so help me, I'll kill yuh."

Jerry said nothing, seemed to be studying over that strange threat.

"There's important work to be done," Armstrong raved on, "an' you two spend yore time spyin' on me! Blast yore hides, I've been ridin' fence half the night an' I've seen plenty of cut wire. Yet you let all the hands go to town to the dance.

"Blast it, what this spread needs is a good cleanin' out, an' I'm goin' to begin cleanin'. Malone, fire everybody this mornin'. That's what I said! Go down there an' fire every mother's son of them!"

Armstrong went out. Malone and Beck followed him. Jerry caught his arm. He swung around.

"Mister Armstrong," the foreman said, "I can't do that."

"What!"

"Firin' those hands would be the damnedest piece of foolishness that ever hit this spread. We just can't do it an' git along."

"Malone, I've made up my mind that those hands are goin'."

"Armstrong—" for the first time Jerry dropped the Mister—"I've made up my mind they're goin' to stay."

"Yuh refuse to fire 'em?"

"Exactly."

"All right, Malone, Ill fire 'em myself. An' while I'm at it I'll do a little extra firin' to boot. I mean you. Roll up yore blanket an' git out!"

Hank Beck, listening, could not believe his ears. Jerry Malone, the closest friend old man Armstrong had ever had, the man who had made the Diamond X the best outfit on the range, was being told to "git." It was too much for Beck. He stepped up close to Armstrong.

"Listen, yuh howlin' bobcat, who do yuh think yuh're firin'? Why, yuh ought to be flattered to own any spread that Jerry Malone reps on. Why, if Malone goes off this spread, the old man will turn over in his grave. Why—you—you—"

Malone interrupted. "Armstrong," he said, "I'm damned if yuh kin fire me!"

"Yore pay stops this minute!" Armstrong roared. "I'm owner of this ranch an' I say yuh're gittin' off it!"

"Pay or no pay, I'm stayin'. An' from now on, what I say around here goes."

"Malone, are yuh goin' off this

spread peaceable or are yuh goin' to take the worst beatin' of yore life?"

Jerry Malone smiled bitterly. "Yuh might try makin' me take the beatin'," he said.

IN an instant their gun-belts were off, their hats were tossed away. They came together with a crash. Armstrong dropped to one knee and Beck exulted. At last he was going to see this new boss get what was coming to him.

But when Armstrong came up, he was like a wild bull charging. Slow on the draw, he was plenty fast with his fists. And he was tough. He could take it. What was worse, he could give it.

It was the first time Beck had ever seen Jerry Malone go down in a stand-up fight. He concluded bitterly that there was no justice in the world. Malone had all the right on his side, Armstrong was completely wrong, yet Armstrong was doing the battering. When Jerry came up reeling, Armstrong picked an opening and unloosed a clout powerful enough to fell a steer. Malone went down. Armstrong towered over his recument form.

"Malone, are yuh clearin' off this spread?"

Jerry Malone dragged himself to his feet, swayed, steadied himself, wiped the blood from his lips. Without answering he shambled toward the bunkhouse, Hank Beck following him, very close to tears. Beck wondered what the old man would have thought of his nephew now. Jerry Malone got his duffle together, saddled up his horse.

"Malone," Beck said, "I'm goin' with you."

"Yuh're stayin'," the ex-foreman said. It seemed to pain him to speak.

"Jerry—"

"Yuh're stayin'," Malone repeated.

And Hank Beck stayed. He went back to Armstrong, his chest swelling with wrath.

"Armstrong," he said, there was no "mistering" about it, "I'm goin' to tell yuh what yuh just done. Yuh don't know, so yuh better listen.

"Jerry Malone was closer to yore uncle than a son. Yore uncle wanted to leave the spread to him, not you. 'Malone,' I heard yore uncle say once, 'this kin o' mine is a devilish strong-minded critter. He's stubborn. He'll run this spread into the ground. I'd rather you had it, Malone.'

"'No,' says Jerry Malone. 'Yuh can't do that. It wouldn't be right. Blood is thicker than water.'

"An' Jerry Malone gives up the finest spread in the county. Well, Armstrong, yuh've just given Jerry Malone his reward. Yuh've kicked him off. I hope yore feelin' fine."

Frank Armstrong did not answer. He was *not* feeling fine.

After Jerry Malone's discharge, news reached the range that Joe Stark's brother, Dan, had come back to the Circle M. One Stark was plenty, Hank Beck opined. The Diamond X was deserted except for its owner, Beck and the cook. The news of the wholesale firing had spread and no self-respecting puncher was willing to sign up.

"Beck," Armstrong said one day, "are yuh fast with a gun?"

"I ain't got no glue in my joints," Beck answered.

Armstrong sighed. "Beck, if I could handle a gun fast, I'd be a different man."

Hank Beck pricked up his ears. Maybe Malone had been right. Maybe this ornery, red-headed, hot-tempered, mulish hombre did have something eating him that was responsible for all his cussedness.

"I'll teach yuh," said Hank warily, remembering how a similar offer from Jerry Malone had been treated. But Armstrong didn't get his back up. He didn't even flush. He accepted the offer.

HANK BECK quickly saw that it was no use. Armstrong just couldn't seem to get his gun up fast enough. He tried till he streamed with sweat. At midnight he was no better than when the lessons had begun.

"It's no use, Beck," he said, flopping down to rest. "I've tried for years. I reckon it's fate, or a curse. I was born to be slow with a gun. An' someday

bein' slow will be the death o' me."

"It sure will," Beck agreed, "if yuh ever get into a gun-fight. So why not stay out o' them?"

"I can't help it. I reckon I was born ornery."

Hank was beginning to like this boss of his. "Boss," he said earnestly, "stayin' out o' gun-fights means layin' off the Starks."

Instantly Armstrong bristled. "Hank, this cattle stealin' has got to stop, an' I'm goin' to stop it!"

"No, Boss. Leave it to the sheriff. When he sees fit, he'll act. Besides, under Association rules, you'll get paid fer missin' cattle anyway."

" 'Tain't that!" Armstrong snapped. "I ain't money hungry. It's that I won't be walked over by any man, least of all by the Starks. They're playin' me fer an easy mark, an' I can't stand that. I *won't* stand it!"

The next morning, before dawn, Beck was awakened by Armstrong. The new boss was in a state of excitement.

"I've got a clue to what's been doin'," Armstrong said exultingly.

"Where you been?"

"Over on the Circle M."

"Jehosophat! Again? Lucky yuh wasn't seen. Especially since yuh have so much trouble gittin' a gun goin'."

"Don't remind me o' my draw," Armstrong growled. "I want yuh to go back there with me before it gets too light."

Hank Beck grumbled but obeyed. What Armstrong had found was a carelessly buried cow's hide. There was a hole in it.

Hank grunted. "Brand cut out."

"Right. Beck, we don't need any more evidence than this. The Starks have been stealin' our cattle an' butcherin' them for meat, which they've been sellin'."

"Looks that way."

"They've been shippin' *our* beef, ready butchered."

"What yuh goin' to do? Go gunnin' fer 'em?"

"No, Beck," Armstrong said mildly. "I'm takin' yore advice. I'm goin' to the sheriff."

So the two lit out for Boonetown, and confronted Sheriff Brewster in his office. Armstrong told his story and displayed the cow's hide.

Sheriff Brewster sighed wearily.

"Armstrong," he said at last, "why in hell don't yuh leave the sheriffin' to the sheriff? Now you've messed things up complete."

Hank Beck thought he could hear his boss's red hair crackle. With an obvious effort Armstrong held his temper in leash and asked the sheriff what he meant.

"Just this. Stark makes claims against you, as well as you against him. He tells me he caught three of you Diamond X men ridin' over his land without an invite the other day. That's point number one.

"Point number two is that you shouldn't have done any diggin' without me. Yore both Diamond X men, an' I can't take yore words unsupported against Stark. If I put this hide business up to Joe Stark, of course he'll deny it. An' his word is as good as yores. I dunno that that's a Diamond X hide. I dunno that it ain't a trick of yores to get the Circle M in bad with me—"

ARMSTRONG interrupted. "What in hell kind of a sheriff are yuh anyway? Yuh sound like a judge an' a jury. Yuh set there an' as much as accuse *me* o' rustlin', an' lyin' to cover it up!"

"Armstrong," the sheriff answered sharply, "I've heard about the way yuh've begun to run that spread you inherited. Well, sir, you can run yore ranch to hell any way you want, but yuh're not runnin' the sheriff's office, not by a long ways!"

"Are yuh refusin' to arrest Stark?"

"I am. An' you can get to hell out of my office until you can come in and talk decent!"

Armstrong's control snapped. "The Stockman's Association is goin' to hear about you, Brewster. You double-crosser in the pay o'—"

Brewster flipped his wrist and a gun looked up at Armstrong. At the same time he had started for his own, but he never got close to it.

"Mister Armstrong," the sheriff said pointedly, "good day, an' to hell with you!"

Armstrong and Hank Beck made an undignified exit. The top-hand was ashamed of his boss. Outside, they were just in time to see Joe Stark entering the Tivoli Saloon. Beck groaned as Armstrong grasped his arm and pulled him across the street.

"Ain't yuh learned yore lesson yet?" he gasped.

"I'm not takin' lessons, I'm givin' 'em. We're goin' in there."

my cattle. Yuh're not a rustler—a rustler has got guts. Yuh're a butcherin' thief. Either you or me, Stark, has got to get off this range."

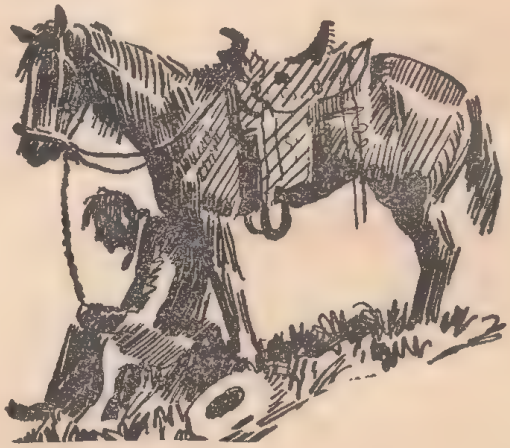
The saloon was now icy still.

"Stark, I'm callin' you to a showdown!"

Showdown! Words like that had never been known to usher in anything else but death.

"No gun-play, Stark!" Armstrong said quickly: "I'm aimin' to make a play that won't leave no question unanswered. I'm aimin' to clean you off

THE DREAMIN' DRIFTER



Some folks say I'm a lazy cuss,
Jest roamin' the range alone—
Jest dreamin' an' plannin' an' thinkin'
An' never turnin' a stone.

Well, some folks work an' others dream—
And who can say what's best?
The pioneers had dreamers, too—
Their dreams helped build the West!

—TEX MUMFORD.

Entering, Beck spotted the other Stark brother almost at once.

"Yuh can't face 'em both," he muttered. "Let's get out o' here."

Armstrong shook off his arm and went straight up to the Stark brothers. He addressed Joe Stark. For a man as slow on the draw as his boss, Hank thought, he certainly didn't beat about the bush.

"Stark," Armstrong said in a loud voice, "this range ain't big enough to hold us both."

Stark didn't bat an eyelash.

"Stark, yuh've been makin' free with

this range. I'm aimin' to take yore whole spread away from you—or yuh're goin' to take mine. Do yuh savvy?"

Joe Stark grunted. "Gittin' you off this range, Armstrong, is right after my own mind. I take it yuh're aimin' to gamble."

"Right. Poker to a showdown—the two spreads for a stake."

Stark nodded. "Poker to a showdown. Take yore chair."

HANK BECK remembered the old man and gulped. He wondered what would happen to Dave Arm-

strong's grave if his new boss lost. The cards were flipping out when there came an interruption. Dan Stark, hitherto silent, spoke up.

"Hold those cards," he rapped out. "I'm sittin' in on this little game."

His brother emitted a curse.

"Hold yore gab," Dan Stark said. "Why do yuh suppose I came home, Joe? I came to claim my rightful share o' the spread. You turned Paw against me, but he'd dead now, so I'm sittin' in. Only we don't split, Joe. Winner takes all. Take it easy, Joe. Armstrong is right—this is a showdown. It's a showdown between him an' you, an' it's a showdown between you an' me."

"Sit in," Joe Stark said, "an' be damned to yuh."

The cards were dealt. The players checked, bet, drew, bet again. For a while the game developed evenly, but eventually luck began to show. Joe Stark bought more chips. Armstrong did likewise. A big pot squeezed Dan Stark and he stacked up again. The chips moved out fast.

Hank Beck, groaning inwardly, saw his boss begin to lose, his chips melt. Armstrong tried to bluff but Joe Stark called him. When the cards went around again, the end had heaved into sight. Armstrong held—Hank Beck saw it with a sinking heart—four spades and a diamond, with ace high.

He called for one card, but didn't look at it for a moment. Joe Stark pulled two, Dan Stark the same. Then Armstrong peeked at his hand. The diamond was gone, and in its place was a black card. And it wasn't a club! Armstrong held a spade flush and it was ace high!

He bet all the chips he had.

Joe Stark answered by pushing all his winnings to the center of the table.

Silently Dan Stark did the same.

Armstrong smiled crookedly. "My spread goes as a raise," he said.

"I call."

"I call."

A silent minute passed—at least it seemed that long.

"A spade flush," Armstrong said, showing.

Joe Stark sneered. "A full house, Aces and Queens."

And he spread his cards on the table.

Armstrong stared at them. His hand was the loser. The Diamond X was lost. And then Hank saw—and Armstrong saw—at the same time!

"Stark," Armstrong said tensely, "yuh have an ace o' spades in that full!"

His right hand began to move down.

"My spade flush is ace high!"

Nothing happened that first split second.

"Stark, either you or me is a sneakin' cheatin' varmint!"

Then the storm broke. All three men kicked their chairs back and sprang up. Everybody else dived for cover. The air in the saloon was split with tongues of flame. Smoke hung over the poker table like a fog. Groans rose.

"The end of Armstrong," Hank thought bitterly, trying to see. "He was slow on the draw once too often." He made out the shape of one man standing up. "Maybe he got one o' them, anyway, but I can't even believe that."

TWO men lay dead on the floor. Hank Beck looked from one to the other, his heart pumping quickly. Then his eyes popped. One of the men was Joe Stark, the other was his brother. The man who was standing up, his gun smoking, was Armstrong himself.

Hank went up to him. Armstrong looked dazed. "I reckon," he muttered, "the pot is mine."

"I reckon," Hank Beck muttered, an odd light in his eyes.

Armstrong departed for the Diamond X. Hank Beck stuck around for reasons of his own. When he got back to the spread Armstrong, excited, was waiting for him, bursting to talk to someone.

"Slow on the draw! An' I always thought I was slow on the draw! What in hell's been the matter with me? Why, I got 'em both before they began fannin'."

Hank said nothing. He was looking out the door, across the sloping land, to where a lone rider was slowly

jogging along.

"I know now what was the matter with me," Armstrong went on. "I never had call before to shoot so fast. All I needed was the need, an' I did it."

Hank Beck, still silent, kept looking.

"What's the matter with yuh? Lost yore tongue? It was in self-defense—"

"Ye-ah," Hank Beck said quietly. "Yore all right as far as that goes." He hummed softly to himself, then asked: "Them guns o' yores are .45s, ain't they, Boss?"

"Shore."

"How many times did yuh shoot?"

"Three."

"Well," Hank went on, his voice very quiet now, "there's three .45 slugs in the wall o' the Tivoli, right opposite where yuh was sittin'."

Armstrong gulped.

"An' it happens," Hank went on, "that the slugs that killed the Starks wasn't .45s at all. Nobody but me knows that, an' nobody ever will. Boss, the bullets that ended the career o' the Starks was .30-30s—rifle bullets.

"Yuh didn't see Jerry Malone at the bar when yuh came in. Well, he was loafin' outside the rear window while yuh was playin', keepin' his eyes peeled fer gunplay, an' when the time came, he shot. Even if yuh did fire him, Boss, he was still keepin' his promise to the old man—he was still watchin' over yuh. Boss, you'll never be any good with a gun, but I reckon yuh won't need to be anymore."

Armstrong slumped into a chair but was galvanized into action by Beck's next words. "I shouldn't be surprised," the top-hand was saying, "if that rider I see out there is Jerry Malone hisself."

Armstrong was out of his chair like a bolt of lightning. A little while later Hank Beck saw two men come riding back. One was his boss, the other was Jerry Malone.

"Here's yore foreman, Hank," Armstrong said quietly, "yore foreman—an' my pardner."

Deputy Marshal Wyatt Earp

Gunfighters of the Wild West

They Wrote History in Gunsmoke—These Daredevils on Both Sides of the Law Whose Lives Depended on Swiftness of Hand and Eye!

IN Stockton, California, the deputy sheriff was nailing a placard to a tree. It was a reward notice for the capture of one Joaquin Murieta, dead or alive. The reward was five thousand dollars. A group of men surrounded the deputy, talking big about what they would do if they could only get the bandit at the business end of their guns.

A young man in a broad-brimmed sombrero lounged up and pushed his insolent way through to read the placard. A pair of heavy six-shooters swung conveniently at his thighs. The braggarts fell swiftly silent as they became aware of his presence.

"It's Murieta himself!" whispered one.

The young man heard. He smiled. "Yes," he said. "It is I, senores. I heard what you noisy fools were saying. Well, if you want five thousand dollars quickly, here I am for the taking."

Fishing for a pencil stub in his pocket, he calmly wrote across the bottom of the poster:

I will pay one thousand dollars myself. J. Murieta.

A TRUE SAGA OF NOTORIOUS BADMEN OF THE FRONTIER

By JACKSON COLE

Author of "Rope Law," "Killer Nerve," etc.

Then he turned, a hand on the butt of each gun, and faced the motley crowd. He could have been shot in the back or clubbed over the head. The odds were twenty to one that he couldn't get away with it. But he did. Sheer cold nerve overawed these rough and ready miners and frontiersmen as would nothing else. So terrible was his reputation that when he mounted his horse a moment later to ride away not one hand was lifted to molest him.

Deadly Vendetta

Joaquin Murieta, one of the earliest deadly gunfighters of the West, flourished for four brief but hectic years in the gold rush days of California. Coming north of the Rio Grande at the age of seventeen with his young bride, he launched into a career of crime and slaughter as the inevitable result of a vendetta he swore against a group of American miners, men who made an unwarranted attack on him, assaulting his bride and killing his brother.

The young Mexican bandit was one of the few outlaws of the West who built up a strong band of followers and operated from a mountain retreat as did the brigands of feudal days. While he may have had justification for the killing of his personal enemies, he carried the war to almost all men not of his race, to avenge the wrongs done his countrymen. Of all the gunfighters of pioneer days, Joaquin Murieta was the most ruthless. And, like most of the men who lived by the code of the six-gun, he died with his boots on.

Such a scourge did he become that in May, 1853, Captain Harry Love, a deputy sheriff of Los Angeles, led a determined posse of twenty-five men to take Murieta. A drunken gambler that the bandit had befriended betrayed his hiding place for five hundred dollars. Thus, the posse swooped down upon

Joaquin Murieta

Murieta's hide-out at Lake Tulare and struck with only the warning:

"Up with your hands! You are surrounded!"

Manuel Garcia, known as "Three Finger Jack," was Murieta's chief lieutenant. He was riddled with bullets as he leaped to his feet beside the campfire. Cautioning his wife to remain still, the outlaw leader tried to make a break for it. He got as far as his horse, but the animal was shot down under him. He was pinned under it.

But the posse was taking no chances. They crept closer and blasted away. No less than seven bullets found lodgment in the bandit's body. Thus passed the "Scourge" from below the Rio Grande.

Cold-Blooded Killer

How many men Murieta killed during his brief career will never be exactly known. But his hatred embraced all men not Mexican, and he killed them as he would have shot rats. But despite his cruelty and his unending bloodthirsty warfare, he was a more warm-blooded personality than that other youthful gunfighter who fought and died in his early twenties —Billy the Kid.

Of them all, however, probably John Wesley Burns had less reason than any for embarking on his six-shooter career.

It was in front of the general store of a little Texas town that a local braggart became angered at young Johnny Burns and slapped his face. Burns whipped out a pistol and shot the man dead. He was only fifteen at the time, a good-looking lad and the son of an earnest minister. His father and mother had hoped he would grow into a man who would carry on the spreading of the gospel.

He did—the gospel of the blazing

This is a reproduction of a famous old print, showing a train robbery in which the notorious outlaw, Jesse James, bank and train robber, and killer, is supposed to have taken part

six-shooter. There was an abysmal streak of evil in the lad, through possibly the times had much to do with the molding of his character. The community figured that the boy had done the proper thing in shooting the bully who fancied himself as a badman, and Johnny Burns was not even arrested.

This fact must have had a vital influence on his character, made him believe he was superior to the law. Henceforth, in spite of the pleas of his parents, he forked a horse and set out on a man's career as he saw it. With a couple of Colt sixes strapped to his young thighs, he set out to make himself king of the badmen who abounded in the land.

Having no money, Burns took a job as a trail herder for a cattle baron named Pierce and made his next appearance in Wichita, Kansas. This cattle town was wild and unregenerate in those days before Wyatt Earp and "Bat" Masterson took over the task of cleaning it up.

Woman Bait

There was a bad actor in Wichita at this time whose only claim to distinction in frontier history was that later he fell in a gun battle with Deputy Marshal Earp. But he was notorious as a gunman. This fellow, Philip Coe, had a sweetheart working in the dance hall and gambling hell of "Pig" Murphy. Burns, believing that the best and quickest way to succeed in the queer profession he had chosen was to begin with the most famous gun-fighters he could find, decided to attack Coe through the blonde whose name was Mamie.

Since he was young and good-looking, and had brashly set out to impress the young woman with his Texas gallantry, Burns had no difficulty in making an impression. This was while Coe was in Dodge City for a few days, but Burns knew he would return soon and would learn of his play.

Bat Masterson

The lamps were ablaze in Murphy's place the night Coe returned. Burns was bucking the wheel, Mamie standing close beside him. He was winning, and he favored the girl with loving attention. A tender scene, but it made the customers nervous, for Coe was back. How were innocent bystanders to know that the baiting of Coe was this young hellion's sole purpose?

Crippled Enemy

Burns had just placed a stack of chips on a number when he noticed the croupier turn deadly pale. There was an instant scattering of people from the immediate vicinity. Without turning, Burns knew that the moment he had awaited had arrived.

He knew that Coe would not shoot him in the back. That breach of Western etiquette generally called for a hanging. Men were required to face each other, armed, before a shot was fired. So, cold as a snake, he waited.

Coe approached the pair at the table, whirled the girl around, and slapped her face brutally. This affront was enough for a shooting. Everybody knew it. And Coe was reaching for his gun as Burns turned his head. His fingers were touching the butt when

Burns fired from his sitting position, shooting to maim, but not to kill. He shot the gun from Coe's grasp—and the killer of Wichita stood disarmed and bloody and helpless before him.

"I coulda put a bullet through yore head jest as easy," said Burns, smiling his pleasant white-toothed smile that was to become famous. "Yuh're supposed to be fast with a gun. I'm sayin' yuh're too slow. Now, git out of here pronto before I finish the job."

Coe, cursing, did. He was crippled, and there was nothing else for him to do. Burns coolly finished his roulette playing, winning eleven thousand dollars before he quit. Such was John Wesley Burns, one of the most cold-blooded killers the West ever knew. His warped mind got a terrible thrill out of his power to take life.

Road Agent's Twirl

When Burns ran short of funds after this Wichita episode, he held up and robbed a Wells-Fargo Express office. The clerk, a kindly old man by the name of Evans, surrendered the money on hand without trouble and begged for his life, but Burns wantonly shot him dead.

Gradually his reputation as a killer began to cover the West. He was lightninglike in his draw and deadly in his accuracy. There were arguments as to whether he was as fast as Wyatt Earp or "Wild Bill" Hickok, but that nicety was never decided, as Burns never matched guns with those particular peace officers.

The most notable six-gun feat attributed to Burns was his development of the "road agent's twirl." This was the practice of a covered man offering his gun, butt foremost, to his captor, then, as the captor reached for it, to twirl the weapon around by keeping his finger through the trigger guard thus reversing the gun and offering the captor a bullet instead of the butt.

Burns was not the originator of this trick, but he perfected it to such a high degree that he was responsible for the change in custom in disarming a captured man. The captors learned to draw the prisoner's guns from the holsters themselves. How many men this son of a Texas preacher wantonly murdered or how many deliberate gunfights he entered into is not known. For some reason historians of his day paid less attention to him than his exploits warranted. However, most of the main facts are known.

Earned Retribution

Of all the two-gun toters of that roaring era John Wesley Burns probably died the most horrible death. And it came about through the man he had not killed instead of because of the many innocents he brutally murdered.

Philip Coe had once saved the life of an Indian called Running Wolf. Brooding over his affray with the young killer, and having the Indian's pledge to do anything to repay his debt, Coe deliberately set the Indian on Burns' trail. With four of his braves, Running Wolf set out to track down Burns and kill him, willing to spend years in this task, if necessary.

It was when Burns, touched with a queer sort of homesickness, turned toward his old home in Texas that they caught up with him. Traveling like the lone wolf he was, the heartless killer had camped for the night in a little arroyo on the Texas plains. The Indians crept silently up on him this night, waited until his campfire died, and then hurled themselves upon their prey. Burns had no chance. He was trussed up and held prisoner until morning.

With the coming of day, Running Wolf grinned evilly down at his captive. For once John Burns had met a man with as savage a heart as his own and with the same indifference for human life.

"Me blood brother Phil Coe," an-

nounced Running Wolf. "You know what you do to him. So me killum you."

"Yeah?" sneered Burns. "Well, whyn't yuh do it?"

"Get up!" directed the Indian, cutting the thongs which bound the white man's feet. "Come. Me show you."

Blood Brother's Vengeance

Burns must have realized that he was fated to die, but he got up bravely enough. He did not dream of the end planned for him. Herded by the redskins, he walked out across the plains toward a rocky hill. Reaching the higher ground, Running Wolf slipped a lariat under his prisoner's armpits and cut his arm thongs. He shoved Burns to the edge of a sheer pit that opened suddenly before them.

The white killer recoiled in horror as the sound of scaly slithering and hissing and whirring of rattles rose in a revolting crescendo. It was a pit of snakes. This terrible intention of the Indian broke the white man's nerve. He begged for anything but that.

Running Wolf was adamant. Burns, seeing no mercy in the other's savage face, recovered to a certain extent.

"All right," he said through stiffened lips. "What yuh waitin' for?"

"No wait," said Running Wolf. "You think, eh? Mebbe not so good to run around killing people after all."

"If I was to get out of this," screamed out Burns, "I'd kill all of yuh —and Phil Coe, too! I'd—"

At a signal from Running Wolf, the braves kicked the white killer's feet out from under him and lowered him swiftly down to the pit of rattlesnakes.

It Came to Them All

A terrible way to die. Not one of the other great killers of the West probably had so horrifying an end. Billy the Kid was shot down by Pat Garrett, a man who had once been his friend. Jesse James was killed from behind by a trusted confederate. A few of them —perhaps too few—ended their careers on the gallows at Fort Smith.

A different type of killer was Jesse James. The result was, of course, the same, but his character was different. The James boys and the Younger boys, their confederates, were not the usual tough and uncouth outlaw type. They were quiet men with a wide range of interests that included theology, literature, drama, and other cultural arts which seem incompatible with murder.

One of the feats of the James gang has particularly stood out in the gunfighter history of the times. It was two o'clock in the afternoon in Northfield, Minnesota. Three men, Jesse James, Bob Younger, and Sam Wells, strolled down the street toward the First National Bank. Nonchalantly they stopped and seated themselves on drygoods boxes in front of a store.

In a little while Cole Younger and Clell Miller rode along the street, halting in front of the bank. While Younger pretended to be tightening and examining his saddle girth in the street, Miller began striding up and down the sidewalk in front of the bank. The waiting trio immediately entered the building and held up the cashier and clerks at the point of guns.

Street Butchery

Jesse James, leader of the bank robbers, stuck his six-shooter under the nose of the cashier and demanded that he open the safe.

"I can't," protested the cashier. "The time lock is on."

"You're a liar!" James told him, striking him in the face again and again. "Open it quick, or I'll cut your throat."

The man still refused. Bob Younger grabbed what money he could find in the teller's cage, a pitifully small sum compared with their usual hauls. The alarm sounded outside. One of the clerks made a dash for liberty, making

it with a wound in the shoulder from Wells' gun.

The uproar in the street grew louder as citizens grabbed up guns and massed to defend the bank. The robbery failed, and Jesse James knew they had to be going at once if they intended getting out alive. So he turned for a last look at the scene of his failure as his companions climbed out of the teller's cage. His eyes lighted on the cashier, Heywood, who leaned, helpless and almost unconscious, against the wall from the beating he had received.

If it had not been for the stubbornness of this middle-aged man, the bandits would have made a nice haul. In a sudden frenzy of venomous rage James lifted his gun and fired a bullet into the helpless man's brain. This, from the brave and chivalrous Jesse James, whose deeds have become almost classical in the folk songs of the Ozarks.

A Good Leader

But this heartless butchery does not indicate that James was cowardly. He was far from that. Despite the dirtiness of his record, he was a brave man and a good leader. He proved this the same afternoon.

When he reached the street, Clell Miller was bleeding from his wounds, dying in the gutter. Both Younger boys were badly wounded. Three of their horses were dead. One other outlaw in the gang of eight, a man named Stiles, was killed. Never before had the James gang run into such determined resistance. Bullets hummed around the leader as he came out of the bank. One knocked his hat from his head. But without panic he fired, reloaded, and fired again, fighting it out with the citizens entrenched all about the bank.

"Let's go, boys," he finally gave the order in a calm voice.

On five horses the six outlaws made a dash for it, Bob Younger climbing up behind his brother Cole. They escaped, but a determined posse was formed behind them that broke up the gang. New posses continued to organize, and the band had to separate. Wells was killed. The three Younger boys, all badly wounded, were captured and sent to the State Prison at Stillwater for life. Bob Younger died there of tuberculosis. The other two served twenty-five years each.

No Haven

That was the end of the Younger boys, but not of the James brothers. It was at this period that, with the law officers of four states hot after them, Jesse and Frank James got safely away and went to Nashville, Tennessee, with their families and went into business under the names of Howard and Woodson. They prospered reasonably in business, but the old life called them, and deliberately they returned to the paths of crime and lawlessness.

Back to his home country of Missouri went Jesse James to reorganize his gang. The second crew was not as dependable as the first band, and the prosecuting attorney of Jackson County, Will Wallace, set out in 1881 to break up this outlaw gang for good.

Internal dissension as well had much to do with the dissolution of the group of bandits. Jesse James became a nervous wreck, because he was safe nowhere. Every man's hand was turned against him.

Coward's Trick

With a member of his gang, one Charley Ford, and his wife and children, James moved into a house on Lafayette Street in St. Joseph, Missouri. But with a price of ten thousand dollars on his head, he was not safe even in his own home. Ford, planning treachery, got his younger brother Bob into the James house where they lived together for some months.

The two Fords were cowards. They waited patiently all this time until one day they caught Jesse James without his guns on him. On April 3, 1882, when James was just thirty-five years old, he met his end at the hand of a cowardly Judas. Bob Ford shot him in the back of his head as he was wiping the dust from a picture of his favorite horse which hung on the wall. It was this deed that gave rise to the barroom rhyme about:

The dirty little coward who shot Mr. Howard,
And laid Jesse James in his grave.

Only one member of the James-Younger band escaped death or punishment. That was Frank James, who surrendered to the authorities. He was tried several times, but no jury would convict him. So he went free, turned honest, and finished out his life honorably and usefully.

On the Side of the Law

James' end approximated that of the justly famous guardian of the law, Wyatt Earp. Earp was on the other side of the fence, along with such figures as Wild Bill Hickok, Bill Tilghman, Pat Garrett, and others. He was, in the true sense of the word, a gunfighter such as can now be seen depicted in the stories about the old West.

Wichita, Kansas, was a railhead that was a famous cattle market for trail herds from Texas and Oklahoma and other points of the West. With the disappearance of the buffalo, cattle began to take their place. Buffalo hunters became cowboys, and a new era was in progress.

Cattle barons were kings in the financially embarrassed Kansas town, but gunmen, birds of prey, killers, and obstreperous young adventurers made the town dangerous and unsafe. It was Wyatt Earp, a young man with handlebar mustaches, the deputy marshal of Wichita whose job it was to clean up the town and make it safe.

He did this job so well that Texans and even some natives wanted to do away with him. His specialty was what might be called psychological intuition. He seemed to know when not to pull a gun.

After he pistol-whipped a few Texas toughs and booted a couple of cattle barons into jail, a husky foreman of one of those badly treated gentlemen demanded a fist fight with the marshal. This George Peshaur stood six feet four, and was a fighting giant. But he knew better than to match guns with such a man as Wyatt Earp. To his surprise, Earp conducted him to an empty room and went in with him for a fist fight.

In fifteen minutes the marshal reeled out of the room alone, leaving his challenger unconscious on the floor. Instead of this settling the matter as it should have, however, Peshaur returned to the Cowskin River country and aroused the boys against that pesky marshal at Wichita. It was planned for a gun-fighter by the name of Mannen Clements to lead fifty cowboys into town and do a thorough job.

Out-Talking Them

Wyatt Earp, getting wind of this, merely picked ten good riflemen and stationed them in strategic spots along Douglas Avenue, instructing them not to do any shooting unless he did. Then, when Clements led his gang into town on foot, Earp strolled out to meet them.

His guns holstered, his face calm, the marshal walked slowly but unfalteringly down to meet the angry Texas men. Here was the very man the Texans had come to kill, but his audacity in walking alone to meet them was hypnotizing. And as he came within speaking distance of the hesitant Clements, he began to talk.

"Mannen, don't be a fool," he said calmly. "Put up them guns. Mind me now, Mannen. Put up them guns and take your crowd back to camp. No

sense in acting plumb childish this-away."

He continued to approach slowly as he spoke. His posse waited, fingers nervous on triggers. They were anticipating a bloody gun battle, but Earp fooled them. And his very nerve buffaloed the Texans. Clements seemed stunned. He slipped his six-shooters back into their holsters, turned, and started out of town. His followers trooped after him without a word. It was incredible, but Wyatt Earp's nerve and reputation had whipped them without a shot being fired.

The same sort of thing happened when Sergeant King, of the U. S. Cavalry, a handsome, reckless veteran of the Civil War and of many Indian campaigns, declared a one-man vendetta upon the marshal. King had killed at least a dozen men, and he objected violently to the new ordinance Earp was enforcing about nobody being allowed to come into the city limits without checking his guns.

Some Nerve

The cavalryman moved in with his guns and took up his station in the middle of Douglas Avenue and announced that he was starting his jamboree with the slaughter of Wyatt Earp. Regardless of his other qualities, or lack of them, King was a gun expert and a man of unquestioned courage. As for Earp—well, everybody knew what kind of a man the marshal was. So there was no doubt there would be gunplay.

Informed of conditions, Wyatt Earp marched promptly to meet the situation. He turned from Main Street onto Douglas Avenue, his hands by his sides, his guns in their holsters. King had his own guns trained squarely on the oncoming marshal. It would have been but the work of an instant to squeeze his triggers and blast Earp out of existence.

But Wyatt Earp never hesitated. He marched straight up to the figure of King, keeping his calm and steady eyes on the man. It was the bravest exhibition of nerve that Wichita ever saw.

Arrived squarely in front of the cavalryman who stood like a stone statue, the marshal deliberately reached out and yanked the other's guns from his hands, slapped the cavalryman's face with a resounding whack, took him by the nape of the neck, and marched him off to jail for disobeying the ordinance. And Sergeant King, as dangerous a man as walked the face of the earth, went as docilely as a child.

Cleaning Up

From Wichita to Dodge City went Wyatt Earp, where he had little trouble establishing order. Later he went to Tombstone, Arizona, where he became deputy sheriff of Pima County. Here he stood off five hundred yelling and bloodthirsty men with only three deputies to back him up when the mob wanted to lynch a petty gambler. With a loaded shotgun in the crook of his arm, Earp faced the leader of the mob.

"That little tinhorn gambler ain't worth it, Gird," he said firmly. "Shore, you kin kill me and git him, but I'll take plenty of you men with me. There's eighteen buckshot in this gun. It'll cost a lot of good lives to lynch that little coyote in there. Do yuh think it's worth it?"

They didn't. The mob was broken up by the spirit of one man. There were times, however, when bluff wouldn't work, and these moments were when Wyatt Earp showed his six-gun ability and earned his reputation. In company with his two brothers, Morgan and Virgil, and a dentist friend, "Doc" Holliday, Wyatt was walking past the O. K. Corral when he was ambushed by a gang of rustlers who wanted to do away with him. What happened took less than half a minute.

Rustlers' Finish

Virgil Earp, spotting the five rustlers lined up across the corral yard with their backs to the wall, called out:

"You men are under arrest. Hands up!"

Frank and Tom McLowery, Billy Clanton, Ike Clanton, and Billy Claiborne were the five. They responded by opening fire. A terrific gun battle took place then and there, Wyatt Earp killing two of the five. Morgan Earp accounted for another in time to prevent the shooting of Doc Holliday. The other two rustlers ran for shelter, escaping.

This was not the end of the attempts to get rid of the Earps. Virgil and Morgan were ambushed separately. Virgil went to the hospital for weeks. Morgan was shot dead, through the back, in a pool hall. Essentially a lawman, Wyatt Earp knew the gang that had done these things, and he figured the law had nothing to do with this. So he hunted down the murderers one at a time and slew them.

That was practically the end of Wyatt Earp's gun-slinging days. He began to long for peace. He gave up his clean-up work and devoted the remaining years of his life to various private projects, becoming a wealthy man. He died peacefully at the age of eighty, renowned as one of the most remarkable gun-fighters and peace officers the West ever developed.

Jealous Killer

The declining years of Earp's life are comparable in a way to a close friend and deputy of his in the old Dodge City days—Bat Masterson. It was rather fitting that Bat Masterson cleaned up an unfinished job for Wyatt Earp at Sweetwater before going to work as deputy for him in Dodge City.

Twenty years old at the time, with life flowing lustily through his veins, young Masterson was dancing with the best looking girl in the dancehall when his start on the law trail came.

"You know I'm Sergeant King's girl, don't you?" she asked languorously, but not at all caring about the cavalryman just then.

"So I've heard." Masterson grinned. "No law against dancing with you, I reckon."

"You're not afraid of King?" she asked.

He laughed. "Not that I know of."

It wasn't boastful; it was simply a statement of fact. And the girl nestled closer to him. It was while they were lost in the rhythm of the dance that a man entered the honkytonk. It was Sergeant King of the cavalry, a good soldier when he was sober, and a hellion when he was drunk. By this time he had fifteen men planted in Boot Hill to testify to his deadliness.

Dead Shot

The music died away. A tense silence reigned. Masterson, feeling the presence of danger, turned toward the door. King was glaring at him in cold ferocity. The sergeant, being a man of few words, went for his gun. Masterson would have followed suit, but the girl clutched hysterically at his arm. As the sergeant fired, she managed to get into the way, and took his first bullet through the heart.

As she uttered a choked sound and slipped away from young Masterson's side, King fired again, and Masterson felt the shock of hot lead. He realized as he was falling that King would keep on shooting until he had completed his kill. The only way out was to get King first.

Twisting as he fell so that he landed on his left side, Masterson had his gun out and pointing toward the insanely jealous killer. He had the blue-clad body of the sergeant lined up in his sights for a brief instant, and he fired just as the sergeant blasted once more.

But Bat Masterson was almost a

dead shot. His own third shot going wild, King jerked from the impact of a bullet in his vitals and pitched forward on his face. His killing days were over.

Famous Young Deputy

Bat Masterson survived this shooting. When he recovered, along with his brothers, he went to work for Wyatt Earp as Dodge City deputies. He was a natural with a six-shooter, being one of the greatest shots with that chosen weapon of the frontier in the country's history, but he never fired his gun if he could keep from it.

Learning from Earp the trick of pistol-whipping badmen into submission, which is simply cracking a bad actor over the head with the barrel of a six-gun, he became adept. That was very effective in quieting rioters. When that wouldn't work, there was gunplay, but Masterson became almost as famous as his mentor in handling killers and thugs without dealing death.

He was only twenty-two when he was elected sheriff of Ford County. It was during this term of office that he had a gun-fight on Front Street with two tough killers named Jack Wagner and Alf Walker. He shot it out with the pair after they had downed his brother Ed, killing both of them in the wink of an eye.

The principal thing of interest about Bat Masterson's gun-fighting was the fact that he was one of the few successful gun fanners of his day. The reason for that was that gun fanning—holding down the filed trigger with the right forefinger and fanning the hammer rapidly with the rigid left hand—got six shots out of a gun in a hurry, but the jerking motion did not make for accuracy.

Masterson's method was different. He "fanned" his gun by thumbing the trigger with the whole joint of his thumb, a smooth action that didn't distort aim as much as squeezing the trigger. With a hair-trigger action, Masterson kept an empty chamber under the hammer of his gun to prevent accidents. This left him only five shots, but these five were always plenty for him.

Bat Masterson was forty-six years old when he retired from active gunslinging and exchanging hot lead with outlaws. Of all the surprising things for a gun-fighter of the West to do, he moved to New York and carved out an entirely different career for himself as a newspaper man.

He died quietly at his desk as sports editor of the *Morning Telegraph* in 1921. He was one of the last of the old guard to go, a true representative of thousands of stalwart and brave men whose names will never be remembered, but who did their share in the bringing of law and order to the raw and quivering frontier with that thundering arbiter of the West—Judge Colt.

It Takes Plenty of Sand to Be Buffer Between Banker and Rancher, and Catch Bandits On the Side

A cold gun muzzle caressed Weller's neck

SHERIFF'S GRIT

By ANSON HARD

Author of "The Posseman," "The League of Fear," etc.

BANKER GEORGE FOGARTY'S face was a gathering storm of trouble. His hot stare pinpointed on the officer before him. Through the top of the banker's crimped fedora a ragged bullet hole, indication of attempted murder, looked like a harbinger of disaster to Sheriff Steve Weller.

Between the two men, on the sheriff's desk lay a pocket-knife, the side-plate crudely scratched with the initials "T C."

"So it was Tim Cudahay, huh, yore would-be brother-in-law, who took the shot at me?" rasped Fogarty. "The murdering young coyote! I want that laddybuck jailed before sundown and

I'll sign the warrant. Gimme a blank."

Steve Weller held up a staying hand. His lips were grimly set, and his young face seemed aged and hard as he faced the irate banker. "Hold on a minute. Attempted murder is a criminal charge, and you ain't got a sign of evidence. I found that knife myself. It may or many not prove that Tim Cudahay did the shootin'. If there's any warrant signed, I'll sign it."

"Yuh mean yuh won't arrest him 'cause yuh're sweet on his sister Mary?"

A flash came into the officer's eyes. "I don't like that talk, Fogarty. Leave Mary out of this. As far as who did the shootin' is concerned, there's several questionable characters in town—"

"That's just what I was getting around to," snorted Fogarty. "If we had a sheriff with gun-guts, he'd run 'em out. I've seen Tim himself with a pair of gallows' birds if there ever were any. That Belcher and Markley look tough."

"Which don't justify my runnin' them out of town. A man wouldn't take a shot at you without motive—"

"And what makes yuh think Tim wouldn't? I been lenient with that scalawag. I gave him one extension on that mortgage."

"At a fat ten percent interest," added Weller dryly.

"Which was legal rate. Business is business. His time's up again, not counting his days of grace. He was in the bank yesterday and talked mighty hot. The knife proves he took the shot at me. Now, by thunder, I put the screws on. You can serve the papers on him right here in jail. I'll foreclose and put his ranch to a sheriff's sale—"

"And buy it yourself, eh, for half what it's worth?" questioned Weller.

"That's business."

Steve shook his head. "Yuh're a hard man, Fogarty. Yuh can't grind people like this forever. Someday yuh'll talk in a different tune."

"Not to Tim Cudahay I won't. Listen, Steve Weller, I've got political influence. I helped put you in this office, and I can damned easy get yuh kicked out. Understand? Now, get on yore horse and lope for the Cudahays."

WELLER'S face went hard, and his eyes narrowed. With one swift movement he was around the desk and had the insulting banker by the collar and the slack of the pants. In a shuffling run he hastened Fogarty out of his office and fairly hurled him out onto the street. It was all he could do to refrain from booting the man as a final admonishment.

"Don't ever make the mistake of threatenin' me, George Fogarty," he said from the threshold, and his voice was stern. "I know my duty, and I ain't beholden to you. As long as I am sheriff of Palisade you ain't gonna run the office. For yore information, if I find Tim Cudahay needs investigatin' I can go git him 'thout yore orders. Now, scatter afore I get mad."

The banker waxed almost apoplectic. He puffed up, shook his fist at the independent sheriff, thought better of impulse, and made off in a huff—for all the world like a ruffled old hen.

The brow of the harassed officer was deeply creased as he shoved his mustang westward along the trail. He had no delight in his present mission. Of late his duties had been far from pleasant. Droughts and dust storms had made times bad in Palisade County, and slowly, inexorably, Banker George Fogarty was gobbling the land. Foreclosures, forced sales, and Sheriff Steve Weller dispossessing the stricken ranchers. Many declared him a mere tool of the grasping banker, and Steve cursed bitterly at the thought.

And now this matter of Tim Cudahay. It did look bad. The knife was plain evidence. But could the hotheaded Tim have gone as far as "drygulching?" If Steve were forced to jail him, it would erect a wall between

himself and Mary. Weller wished at that moment that he had never been elected sheriff. And this Belcher and Markley—what was behind their assumed friendship to Tim? Trouble? Inevitably, Steve knew, he would have to clash with Cam Belcher.

He felt the sodden atmosphere of hopelessness as he rode into the corral-yard at the Cudahay ranch. The unpainted house, the warping sheds voiced wordlessly the despair of the owners. Over all lay an air of belligerence, a latent rebellion against both man and nature.

In the bleak framework of a door a girl's figure appeared, eyes peering at the rider. In these unlovely surroundings, she seemed to Steve like a flower blossoming with difficulty among scab rock. And he had come to worry her even more. Reluctance to state his mission kept his lips closed.

She came a step from the doorway. Her first faint smile of welcome faded, and a look of sorrowful apprehension took its place.

"Steve! You here?" She seemed to read in his strained countenance a mirror of her own dread. "Is it about that debt at the bank? Are you going to sell us out, Steve?"

"No, Mary." He was glad he could allay her fears about that. "I've got to see Tim. Where is he?"

"Tim? He ought to be around somewhere, if he hasn't ridden off with Belcher and—"

"Are those hombres out here? Then I've got to find Tim pronto."

"What for?" She came running toward him as he swung his horse. "What for, Steve? You said that mighty queer. Is—is Tim in trouble?"

"I don't know, Mary. God knows I hope not. But somebody tried to kill George Fogarty last night."

AN invisible shield seemed to rise between them. He could tell by the stiffening of her figure and the quick crimping of her lips.

"And you suspect Tim—that he'd do murder! Why, Steve!"

"No, I'm not thinkin' that. If I did, I'd have a warrant in my pocket. But I've got to find out things. The dry-gulcher waited in Pinon Cut. He put a slug through Fogarty's hat. This morning in Pinon Cut I found—" It was difficult to blurt it out. He hadn't wanted to hurt Mary.

"Found what?"

"Tim's knife."

"Oh!"

"That don't mean everything," he was quick to assure her. "He might have loaned it to someone. He might have lost it. I'm drawin' no conclusions. But Tim's been chummin' with some bad hombres. Belcher and Markley are tough. If I had the least excuse I'd run the two of them out of the country."

Heavy feet pounded beyond the corner of the house from the direction of the sheds. A thick-set man in a flat-crowned black hat stamped into view. A scowl ruffled his heavy eyebrows.

"I heerd yuh mention Belcher. What's that about runnin' me outa the country?" he snarled.

Behind Belcher appeared the slenderer figure of Mary's brother. Tim Cudahay's thin face was pale, and he was clutching at his belt in a nervous manner. A third man hesitated a few paces back, a hawk-faced individual with a leering look. This third man alone seemed unperturbed. He rolled a quid with a grinning movement of the lips, exposing a void of upper teeth in which the jagged remnant of one incisor hung like a miniature fang.

"Speak of the devil," declared Weller crisply, "and up he jumps. If yuh heard what I said there's no use repeatin'. I don't know what yore game is, Belcher, but I'm suspicious. These Cudahays are my friends. Yuh leave 'em alone, savvy?"

"Is that so? Thems a heap of words for a star-packer. When yuh talk about runnin' peaceable fellers outa the

country, that's ridin' high, young feller. In the first place, I don't run—"

Mary's voice cut in upon the irate words. She turned toward her brother, disregarding the others. "Tim, somebody tried to shoot Fogarty last night! Steve found your knife!"

"What's that?" Tim Cudahay started and paled.

"He found it at the place where the dry-gulcher crouched. Tim, say it's not so. You couldn't have done that."

Young Cudahay's slouching figure stiffened. His eyes blazed. "It's a lie! I don't know nothin' about any attempt on Fogarty. He oughta be plugged, but I didn't do it."

"Okay, Tim," nodded Weller. "I'll take yore word yuh didn't. But I'd like to find out how yore knife got into Pinon Cut."

THE mild words failed to check the anger of the younger rancher. "How the hell do I know? I didn't even miss my knife till this mornin'. If yuh found it there, it's a frame-up." Tim's eyebrows suddenly arched, his eyes rounded as if some realization was born in his brain. He strode forward until he was almost at Weller's stirrup. "Yuh claimed to be a friend of mine, Steve!"

"I am."

"Like hell yuh are! I see the whole dirty trick. I was in the bank yesterday. I tried to get Fogarty to give me more time, and the old flint-face wouldn't budge. I mighta dropped my knife right there."

"That wasn't where it was found."

"I don't care where it was found! He could have planted it. He's afraid I might pay off that note before the last minute, but if he gets me clapped in jail I can't, savvy? Freeze me out of any last chance of raisin' the money, and yuh're right in cahoots with him. Friend of mine? Just a tool of George Fogarty!"

"Hold on a minute, Tim. There was a bullet hole through his hat."

"And couldn't he have framed that too? The scheming gouger, he'd do anything. Right when I might be in a position to pay that note—"

"Pay the note?" It was Mary's voice that rose quickly.

Young Cudahay whirled, his thin lips quivering. "Yes, it happens that my friends are better than yores."

Cam Belcher strode forward, his thumbs hooked ominously into his belt. Behind him, Bill Markley grinned and spat, his snag tooth parting the expectoration until it fell in twin spots of brown on the dust.

"Yeah, and we're still his friends," declared Belcher. "Get that? Did yuh fetch a warrant against young Cudahay?"

"No. Of course not."

"Then yuh better scratch gravel. Yuh've said some pointed things I don't like. Gonna run me an' Markley outa the country, huh? Better swaller them words onless yuh're willin' to settle it man to man. Either back yore play or git goin'."

The words brought a hot flush to Steve Weller's ears. "Yuh don't own this ranch, Belcher. The persons who have authority to order me off haven't said so—"

"Then I'm orderin' yuh off now," said Tim. "And stay off until yuh have legal authority to come on—you and yore big boss Fogarty."

"Tim," protested Mary.

"You keep out of this, Sis. Steve Weller's put himself on record. No friend of ours would come out with a framed story of me shootin' at that banker. Furthermore, yuh can keep away from Mary from now on, Steve."

"That's a big order for you to handle, Tim," said the sheriff mildly.

"Well, it ain't more'n I can handle!" roared Belcher. "We're Tim's friends, and we'll see these young 'uns don't git tromped on. I don't care if yuh do wear a star, savvy? I'm tellin' yuh to light a shuck on my own accord. Git goin'."

WELLER sat staring at the big man unbelievingly. He was not physically afraid of the gun-slinging Belcher, and a hot impulse mounted toward his brain to call the man's bluff, to settle his bragging ways with lead. Yet—

The situation was patently unreal. Belcher had no reason for interference unless there was some deep plan back of his interference. Could it be plainly a scheme to influence Tim, to set him at odds with constituted authority, to lower the sheriff in the estimation of the Cudahays? It smelled too plainly of a trick.

Markley hitched a step forward, his weazel eyes glinting. "And yuh can take it from me, I'm backin' Cam." Again he spat insolently into the dust. "We ain't aimin' to have these kids browbeat by some damn banker an' his potlickin' sheriff."

Steve stared at the twin spots of brown that Markley had made in the dust. A sudden suspicion welled surgingly into his brain, his thoughts winging backward to Pinon Cut. The idea swelled, took dominance in his mind, negatived all other considerations. He must check again on Pinon Cut, make sure before he played his hand, no matter how these men taunted him. He held his voice steady.

"All right, I'll leave. But this matter ain't settled yet."

"The hell it ain't," gloated Belcher, reaching for his gun. "Yuh're a yeller boot licker fer a banker skunk, and I'm servin' yuh notice right—"

In a flash the sheriff was off his horse and gripping Belcher by the shirt front before the man could finish drawing his gun. Startled, he did so now, and Weller snatched it from his grasp.

"This ain't the place to have trouble, Belcher," the sheriff said coldly. "But get it straight right now that yuh're talkin' to the sheriff of Palisade County and not jest to a feller named Steve Weller. One more threat outa you, and—"

A cold gun muzzle caressed Weller's neck.

"Give Cam back his gun, Mister Badge-toter," said the sneering voice of Markley. "Then climb back on yore crowbait and drift. We said yuh was a potlickin' sheriff who is workin' for a polecat."

Weller knew when to keep his temper. Silently he handed the leering Belcher his gun and swung back into his saddle like a soldier. He knew he was cutting a sorry figure before Mary Cudahay as he rode out of the corral-yard. His ears burned, and he spurred his cayuse angrily. He raked the mustang unmercifully as he started back toward Pinon Cut. Then he quickly regained control of himself. He grew ashamed and apologized aloud to the amazed animal.

In the little gully at the cut he found what he sought. Carefully he studied the ground where the dry-gulcher had crouched, and in three places found twin spots of brown in the dust. Markley! He had noted these brown spots when he found the knife, but they had meant little. Dozens of men in Palisade carried plugs, even Tim himself, but no man could have left sign like that but Belcher's partner.

Markley, if not both Belcher and Markley, had been in Pinon Cut. If they had intended killing Fogarty, why had they missed? The distance to the trail was short. A passing man would have been an easy target in the moonlight. *They must have intentionally missed!*

SHERIFF WELLER squatted in the gully, his brain concentrated on the problem. The two rogues could easily have got Tim's knife and planted it. A thin frame-up, but it would temporarily throw suspicion on Tim. The hot-headed Cudahay, thinking himself railroaded, could easily be talked into some other plan. What plan? Now, that missing at thirty feet. Did they want Fogarty still alive? Why? A dim

intimation of the whole affair began to form in the sheriff's brain. He swung into leather and galloped for Palisade, slithering to a stop before the bank.

Fogarty met him coldly.

"Bring in yore man?" he questioned.

"No."

"Then what the hell are yuh doing here? It's up to you to get him."

"I came here to get one bit of information from you."

"What?"

"The last day of grace on Cudahay's note."

"To-day's the last day, but what's that got to do with it?"

"Plenty—maybe. That's all I want to know. Thanks."

He left the banker gawking after him.

Weller returned to his office. That one statement made by Tim, the statement that had startled even his sister, fogged to the front of Weller's brain. "Right when I might be in a position to pay that note." How was Tim to pay? Who would advance the money? Who other than Belcher and Markley? The two scoundrels could possibly have that sum. But would they advance it without some deeper purpose?

From his office window Steve had an unobstructed view of the main street. Minute after minute he sat, watching the door of the bank. The afternoon waned, but at no time did Tim Cudahay appear. Steve saw the door eventually closed and locked. A slow, mirthless smile spread upon his lips.

In the last remnants of the evening light he examined his six-gun carefully.

George Fogarty lived a half mile from the main part of town. A cluster of wild plum trees grew just at the edge of his yard. Darkness had settled deeply when a lone figure crept into the shadow of these shrubs and lay waiting.

Sheriff Steve Weller smiled wryly to himself. He was playing a hunch there would be visitors at the Fogarty house that night. If he was wrong, he'd have a tiresome vigil among the plum trees, that was all.

Minutes dragged into hours. His body grew cramped. He began to doubt his own conclusions. Inside the house he could see Fogarty seated by a reading lamp. Farther away, lighted windows glowed in the little cowtown. Slowly he saw the town lights extinguished as the citizens retired for the night. Deep silence settled over Palisade.

The last light in the town disappeared. Almost at the same moment Weller heard the thud of hoofs along the west trail. Three riders appeared as blots, swung from leather at the yard gate, and clumped toward the porch. One of them rapped sharply.

The banker opened his door hesitantly and stood with one hand against the jamb. "Oh, it's you, eh? What do you want, Tim?"

"I've come to pay that note."

There were seconds of tense silence. "Yuh're too late," declared Fogarty sharply. "I do business during banking hours. Bank's closed."

He would have slammed the door had not Tim's toe been across the sill. "That don't go, Mister George Fogarty. There's no law in this state that compels a debt to be paid in banking hours. I've got till midnight, and I got witnesses here to prove I offered to pay. That clears me. Either yuh do business or whistle down a gopherhole for yore money."

FOGARTY was taken aback. He stood glaring at his visitors. "All right, give me the money. I'll write yuh a receipt."

"Don't yuh take it, kid," growled Cam Belcher. "A receipt proves nothin' but an exchange of money. He might claim it was for somethin' else. This young feller gits his mortgage papers and nothin' but his papers, Mr. Banker. Savvy?"

Fogarty reached toward the rack for his hat. There was no option but to accompany the young rancher to the bank. Belcher turned toward Tim.

"Reckon yuh won't need us any more tonight, eh, boy?"

"No," agreed Tim, "but I certainly appreciate what yuh've done."

Belcher and Markley left, clumping blocks of shadow across the door yard. Leather squealed as they swung into stirrups. A moment later Tim and George Fogarty walked down toward the trail toward the main part of town.

Sheriff Steve Weller slipped from his concealment, running in a broad circle back toward town. That affairs were drawing to a climax he felt certain, a climax far different than Tim or Fogarty suspected. Breath rasped in his throat, but he gained the dark street beside the bank before the two appeared. He heard the banker grumbling as he fitted a key into the lock, and the cautious movements of men in darkness. Then a glow of brilliance outlined the window above him.

An eerie silence lay upon the sleeping town. Weller lifted himself until he could peer within the building. He saw Tim standing beside a desk just beyond the paying counter and Fogarty stooped before the combination of the vault. A moment later the steel door swung open.

Then came another sound that caused Steve Weller to drop back into the shadows along the side of the building. The walk of horses on the far side of the street and the faint squeak of stirrups as men eased themselves to the ground. Weller sensed rather than heard them on the low boardwalk as they paused as if gathering themselves.

Within the building Fogarty's voice droned sourly. "All right, here's yore mortgage. Now, lemme count that money."

The unlocked street door hurtled inward. Belcher's throaty growl filled the banking room. "Hold it, yuh birds, don't move! One funny play and I plug yuh!"

"What's this?" shrilled the alarmed banker.

"Shut up, Fogarty. Get around to that vault, Bill, and strip it."

The hitching clatter of Markley's boots followed the command. The banker's voice rose again, high-pitched. "A hold-up, eh? Why, yuh scurvy dogs! So that's why yuh dragged me down here at midnight to—"

"Shut yore face!"

Tim's voice came brokenly, unbelievingly. "Belcher, Markley, yuh can't mean this! If it's a joke—"

"Joke, me eye!" snarled Belcher. "Lift yore hands, yuh pup. I'm takin' yore gun." There was the sound of a weapon thrown into a corner. "Hustle it up, Bill, dammit, we ain't got all night! Throw everything into the sack. Grab that money off the desk.

(Continued on next Page)

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Now, we'll tie these birds and gag 'em plenty. We want no yappin' before mornin'."

Young Cudahay was not yet silenced. "You—you two are bank-robbers? I thought yuh were my friends! Yuh tricked me——"

"Tricked you, hell! Think we cared a damn about savin' yore ranch? We've been figgerin' on this bank job for weeks. All we wanted was the banker to open his vault at midnight. Yuh was jest handy to pull the trick for us. Savvy?"

"Then *you* shot at Fogarty, just to get me framed?"

"Shore, Bill pulled that shot and it was a good one. We knew the frame-up wouldn't stick, but we had to get yuh on the prod, see? Wouldn't take money from strangers at first, but when you thought yuh was bein' framed, yuh fell right in with our scheme."

Steve Weller began moving noiselessly toward the bank door. Inside the building Belcher's voice went on raspingly.

"Get a move on, Bill. We ain't got all night."

Steve reached the bank door, shoved it open. "No, Belcher," his voice rolled through the room, "yuh ain't got all night. In fact, yuh ain't got no time at all."

Cam Belcher whirled with a curse, swinging up his arm. Steve Weller threw himself sideways away from the door. A flash enveloped him. The windwhip of lead made a stunning impact upon his ear-drums. The gun in his own hand kicked like a thing alive. He saw Cam Belcher's vest jerk at his side, heard the tear of plaster on the wall beside him. He saw the big man's face go vicious, deadly, in the yellow light of the lamp—and knew he had missed.

All motion seemed to slow in the gaze of Steve Weller. He saw Belcher rocking slowly on the balls of his feet, his gun again levelling. He saw the thick lips part and yell, "Get him, Markley, get this yellow-livered star-packer!"

Beyond the counter Markley's form appeared, gun shoulder high as he leaned across the barrier, his lips drawn back over his snagged tooth. For a split second he seemed searching for his human target, then his gun snapped down toward the crouched officer in the corner. The sheriff saw him from the corner of his eye, knew himself caught in a cross-fire of death, yet he dared not swing his gaze from Belcher. An instantaneous blasting despair swept him at that moment. He saw the end—crunching lead, bullet shock—oblivion.

And he saw something else, faster motion this time—a lean form diving for the gun in the corner. Tim Cudahay coming up, Colt flaming at Bill Markley as is own finger squeezed again upon the trigger. Bill Markley went down as if the counter were wiped by a mighty brush, and Cam Belcher with a curse clutched at his vest front this time.

The battle was over with a suddenness that left Weller's temples throbbing. He knew that his own shot had disabled Cam, yet he hardly remembered it. He felt as he straightened up that his body and mind were things apart. He heard himself say-

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ing as if listening to a stranger, "Good kid, Tim. In a pinch yuh come across. Good kid."

Cam Belcher's baffled fury was directed at the young rancher. "Yuh double-crossin' snipe. Yuh turned yore gun agin us——"

"Shut up!" Steve Weller had control of himself again. "Don't be accusin' any other man of doublecrossin', Belcher. See about Markley, Tim. But be careful."

Tim's voice came from behind the counter. "He's out, Steve, but I think I only creased him."

"Good. Lace one of those cowropes on him and toss me the other. We take no chance with these hombres."

Like trussed billets of wood the bank robbers lay upon the floor. George Fogarty snapped out of the trance into which the gun-fight had thrown him. His upraised hands came down to rub together. A gloating light came into his eyes as he looked at the robbers' bags. His lips pursed into a happy knot.

"Thanks, Weller, thanks. Yuh saved me my cash. It was a close call, but yuh did it. Yuh're the best sheriff we've had in Palisade. Yuh were sure on the job. Those thieving devils would have stripped me clean. But I can't leave this here. While you're locking them men up, I'll hustle this cash and mortgage back into the vault——"

Words tumbled from his lips at his joy on retrieving his cash. Steve Weller stared at the babbling man, and a contempt greater than the contempt he had for Belcher swelled toward this avaricious banker.

"Hold on a minute, Fogarty. Yuh mean to say yuh're lockin' up that mortgage?"

"Certainly. It's valuable paper."

"After Tim risked his life helping arrest these men, yuh'd still foreclose?"

"Why not? He's responsible for me being down here, isn't he? Otherwise the robbery would never have happened. Besides, he never paid. The time's up in five minutes."

"He was in the act of paying you when Belcher came in. Let him finish paying yuh now."

"With what?" Fogarty was again his hard, grasping self. "With robbers' money? They advanced it to him. And they took it back again, right her off the desk. It was technically in their possession when you arrested them. No, Weller. We'll stick by the law. It's undoubtedly stolen money. It's yore duty as a sheriff to impound that cash, hold it until the courts determine where it goes. Tim can't pay with that money."

Sheriff Steve Weller leaned across the desk. Spots of heat burned high upon his cheeks. "Listen, George Fogarty. Up to this minute I've been speakin' as sheriff of Palisade County. Right now I'm speakin' as a man. If yuh wasn't older than I am, I'd lick the everlastin' tar out of yuh. If yuh was a gunfighter I'd call yuh to draw. But since yuh're three-quarters snake and the remainder polecat, I'll tell yuh right to yore face that yuh're worse than these men who tried to rob yore bank."

"You can't talk to me like——"

"I most certainly can. If it wasn't for yore grindin' ways this thing would never have happened. I've done yore dirty work as a sheriff, but I've never done it as a man. If I know anything about hardness, yuh taught it to me, and right now I'm gonna be hard."

"What do yuh mean?"

"That I'm through talkin' as a man, and I'm once more sheriff of Palisade. Is that your bag?"

"No, the sack isn't."

"Certainly not, it's the property of Markley and Belcher. That bag and all that's in it was technically in their possession when I arrested 'em. If yuh insist on being legal, damned if I don't be legal. That money goes with me, impounded until the courts determine where it belongs. Criminal court don't meet till fall. It may be six months before these men are convicted, and not until then can the disposition of the loot be determined on."

"Yuh can't do that!" A scared look was coming into Fogarty's eyes.

"Don't tell me I can't. I'm still sheriff, and I can hold all stolen property as material evidence."

"But it would ruin me. It's all my ready cash and negotiable papers. I couldn't open the bank in the morning. I couldn't meet my own obligations. If word got out that I'm financially short——"

"Did it ever worry you when other people was financially short, like Tim here was? Did yuh ever hesitate to ruin them? No, Mister Banker, yuh taught me my lesson. You'd have been glad to clap Tim here in jail so he couldn't have paid you. You're the one who informed me to impound the money with which he might have met his obligation. I'm impounding the kit and caboodle of it. If the shoe pinches, howl and be damned."

Beads of sweat stood out on the banker's forehead. The point of his tongue ran along his dry lips. Then all at once the arrogance went out of him. He became a wheedling, stricken thing.

"Don't do that, Steve. Don't ruin me. I'll fix up anything."

"And yuh'll testify that Tim assisted in the arrest, so he'll get half the state awards for the capture of bank robbers?"

"Yes."

"And yuh'll grant him an extension on this mortgage till he gets that money?"

"Yes, yes, I'll do anything."

"Okay, then. You've got just two minutes to grab a pen."

Tim Cudahay's face was working with emotion. "I'm the fool in this jamboree, Steve. Yuh've saved me from mighty bad trouble. Yuh're a real friend and a man. I'll explain everything to Mary. She'll be wantin' to thank you *personally*."

The sheriff smiled. "Yes, I kinda wish yuh would explain *to her*. But just between us, Tim," he whispered, "makin' George Fogarty say 'calf-rope' is thanks enough."

WIND OVER THE DESERT

By HAPSBURG LIEBE

Bloody Hutch was a tough hombre who dug his own grave — but didn't know it.

He was on the alert, gun held in readiness.

THIS town on the very edge of the Seguaro Desert was little, isolated and hard. The person or persons who had named it Burning Hat must have been equipped with a sense of humor, of a sort. Cattle country that lay to the eastward, northward, and southward kept the place alive.

Hutcheson stood just inside the batwing doors of the Club Ace Saloon and stared moodily at nothing. Hutcheson was a powerfully-built, big man whose age one would judge to be around forty. He was handsome in his own sleek way, and extremely well-dressed. Although it was lonesome for him, Burning Hat made a fine hideout while certain deeds of his were being forgotten back in western Texas. There he was called Bloody Hutch, and not wholly because his given name happened to be Bloodsaw.

A lone individual of his identical stripe had come with him to Burning Hat. This man, Rainbow Budd, was young and slim, with a rock-hard mouth and the palest of killer eyes. As his nickname indicated, he, too, had a fondness for good clothing.

He appeared beside Hutcheson now, touched him lightly on an arm, pointed down the dusty main street and muttered an even half-dozen words.

"Look at that, Hutch, will you?"

Hutch snapped his moody gaze upward and obliquely to the left. He saw Gibbs Parmer, young rancher from the Cabin Creek country riding down the street with quite the prettiest girl in this section. Nancy Ellison was her name. Her father owned a big cattle outfit not far from town.

"Yeah, I get you." The older man closed his white teeth with a snap. There was a wolfish low snarl from his throat.

Rainbow Budd spoke again. "You've lost there, Hutch. Parmer sure has beat yore time with that gal. But, hell, you didn't need any wife."

"Sure not." Again that wolfish low snarl out of the throat of Bloody Hutch. "All I ever wanted to marry her for was to work my paws into a big hunk o' her rich old daddy's dinero. Then I'd high-tail. What makes you look at me that way, Rainbow? Am I a curiosity, or somethin'?"

"Worse," Rainbow said bluntly. "You're a crackajack picture of the maddest human hombre I ever seen. And them fadin' bruises on yore face tells me why. That fist-whippin' Gibbs Parmer laid on you the last time he was up here courtin' his gal, that's why. You'd labeled him a liar, tryin' to git him to draw so's you could beat him to it and kill him in 'self-defense.' Shore did hammer you up, didn't he? You swore you'd git him on his next trip up. Well, happens that I could use some dinero about now. How much'll you gimme to do the drillin' job for you?" His pale eyes glittered.

Hutcheson's face now was drained of all color. He answered in a voice only a little above a whisper.

"Fifty dollars, and not a centavo over fifty dollars."

Rainbow shrugged, did not smile. "You better do the job yoreself, mebbe, Hutch."

He turned toward the bar. In all probability he expected Hutcheson to follow him and, so to speak, raise the ante. But Hutcheson did not follow. Already his own murder plan was made. It was to be a killing without the least muss or any noise of gun-play. That which had been fine young Gibbs Parmer must never be found. Hutcheson would carry it into the nearby desert and there hide it deep. On most nights, there was wind over the desert, wind that would fill his footprints with sand, obliterating them completely—which, of course, was most important.

He grinned a narrow grin as he turned toward the sun-blasted little hotel for supper. What an elegant joke on the high-headed Ellison girl this was going to be!

"If you change yore mind about that little matter, Hutch," Rainbow Budd called after him quietly, "let me know."

Hutch gave no sign to the effect that he had heard. He was suddenly glad that Rainbow had rejected his fifty-dollar offer. There would be big satisfaction in doing the job himself. Parmer had given him such a peacherino of a beating!

Always when the young rancher came visiting in the Burning Hat section, he arrived at noon, spent the afternoon and evening with his girl, went to the Hotel Burning Hat for the night, started riding back to his little Cabin Creek outfit early on the next morning. All of this Bloodsaw Hutcheson knew, even to most of the details.

DARKNESS swooped down. Hutcheson, in black clothing that would render him very nearly invisible in the blackness of the night,

stole out of town and to an old prospector's shanty at the edge of the desert. There was no light in the shanty, and by this he guessed that the desert-rat gold-hunter had retired to his bunk.

Hutcheson poked around cautiously in the gloom. He discovered tools for digging near a corner of the shack. One of these he drew out with care, and stood upright against a creosote bush, in order that he might find it easily later. It was a shovel. A pick would not be at all necessary in loose sand.

Before he stole back into town, he noted that there was wind over the desert, wind to smooth out his footprints. . . .

At the dark blacksmith shop he possessed himself of an inch-thick iron bolt the length of his arm. This suited his purpose exactly. Round, it would not cut through Parmer's scalp and leave telltale sign in red. . . .

Two hours passed. Burning Hat was quiet except for cowboy hilarity in the Club Ace Saloon. The night man at the livery stable, which stood one door from the Club Ace, had gone to his bed in the cubbyhole office, and not even a lantern burned anywhere in the stable. Bloody Hutch now waited in there in the darkness, heavy bolt ready in his hand. He was quite confident. The saloon noises would be more than enough to drown any thud that the bolt could make when it fell. The setup was perfect.

He kept watching, patiently, the dim, broad square that was the street entrance.

Gibbs Parmer came at last. He rode into the stable, as usual, and dismounted near the wide back doorway. As he loosed the saddle cinch, he whistled softly; whistled happily, for he and Nancy Ellison that evening had set their wedding day. As he was dragging the saddle off, the iron bolt rose and fell with terrific force in the deep gloom.

Instantly there followed a double thudding sound. It was made by heavy saddle and human form striking the stable floor almost simultaneously. There came then, from the saloon nearby, a high peal of inebriated laughter, as though *this* were some fine and original joke—it sent a queer javelin of fear into the cowardly heart of Bloody Hutch—swiftly he slipped through the rear doorway and ran, terror-driven, around the corner of the stable building farthest from the saloon.

Another whoop of wild laughter out of the Club Ace stopped him, brought him to his senses. He cursed himself for having gone loco. But a killing of this sort was quite different from a killing in gun-play—so different from goading an hombre into drawing first and then shooting him down in "self-defense." He dropped the iron bolt and ran back into the stable gloom.

Parmer's horse stood there snorting a little and nuzzling the rag-limp body on the floor. Bloody Hutch gathered it up quickly, shouldered it feet foremost, and was gone. Black as the night was, he did not stumble a single time.

After walking a mile in the desolate wasteland of sand and stone and cacti, he dropped his burden. It did not occur to him to put an ear to his victim's chest, to make sure that the blow had been sufficient. Dimly, at his right, he could see the rugged outline of a still warm, gray bowlder the size of a piano box.

He had not dropped the purloined shovel. With this he began to dig. For his powerful muscles it was mere play. His holstered six-gun banging against his thigh hindered, just a little. He took the gun-belt off and draped it across a mesquit' clump, out of the grit.

Only when the hole was shoulder deep did he stop—no halfway measures for this Bloody Hutch—and

close by there had grown a big mound of sand in further evidence of his industry. He threw the shovel out then. He reached for one of the nicely-shod feet, got it, dragged the inert form into the hole. Probably there was some money, perhaps a good watch, in Parmer's pockets. A watch might be incriminating. But money wouldn't be. He knelt and began the search.

First he came upon a large silver watch, worn slick. "What the hell," muttered Hutch, and wiped a match into flame on a broadcloth trousers-leg. *"What the hell!"* he snarled.

For it was not the face of rancher Gibbs Parmer that he saw there in the flickering light of the match. It was the face of his killer pal, Rainbow Budd!

THEN, quite suddenly Hutcheson knew. Rainbow, in need of funds, had decided to take him up on his fifty-dollar offer, and had been waiting in the stable darkness, even as he had, to make an end of Parmer! Instead of killing the young Cabin Creek cattleman, Hutch had saved him—for Nancy Ellison!

The alert Parmer had seen enough, and heard enough, to feel sure that here was black crime. Wisely, he had stolen away to look up the town marshal and tell him, had been gone when Hutcheson carried his victim out and desertward.

Hutch suffered no pangs of conscience. Nobody would ever know, Mistakes were mistakes, and the sooner they were forgotten the better. Still, he was sufficiently upset over this error to attempt climbing out of the hole on the wrong side. The loose sand gave under his spading hands, cascaded around his fine boots. In the darkness he hadn't been able to see that the bowlder was already somewhat undermined and almost on a balance. It was a perfect set-up—for Death.

Then it came down upon him heavily, jack-knifed him at the hips, pinned him tight against all that he had left of Rainbow Budd! Sand followed, reached a level with his armpits before it stopped. He never would be able to free himself now. Bloody Hutch swore, swore again as he realized that he had made this death trap himself! There'd be a bare chance of calling attention to his plight by shooting, if he hadn't thrown off his gun-belt—but he had, and that was that. Well, the old desert-rat prospector was sure to miss his shovel, and find his footprints and follow—

No, he wouldn't. Bloody Hutch remembered then. He had no joke on high-headed Nancy Ellison, no joke on anybody but himself. Not only were his footprints obliterated; this hole soon would be smoothed over, level. For there was wind over the desert.

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